

and fixing its boundaries, and providing for two district courts in said district, one in Stephens county and the other in Young county; defining and declaring the jurisdiction of said courts, respectively, and prescribing the duration of said courts; fixing terms of said courts; providing for a district judge of said district, and that in Young county the district attorney of the Thirtieth Judicial District shall act as district attorney of said new district; providing for a clerk of each such new court, and for compensation of such district attorney and of such clerks; providing for return to such new courts of process, writs and bonds, and for transfer and re-transfer of causes and actions, motions and matters to and from the dockets of such new courts, respectively; validating certain outstanding process and writs; detaching and removing Stephens county from the Forty-second Judicial District of Texas, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 10:05 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

### THIRTY-SEVENTH DAY.

(Continued.)

(Saturday, March 3, 1923.)

The House met at 9 o'clock a. m., and was called to order by Speaker Seagler.

### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Bonham:

H. B. No. 671. A bill to be entitled "An Act to amend Section 16 of Chapter 60, General Laws, passed at the Regular Session of the Thirty-fifth Legislature, making it an offense to remove any domestic animal or animals which have been quarantined; prescribing a penalty for the violation thereof; fixing the venue where prosecutions may be had, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Smith:

H. B. No. 672. A bill to be entitled "An Act granting and dedicating to the city of Austin, Texas, for exclusively municipal park and other recreational purposes, 6.41 acres of land, more or less, situated in or near the city of Austin, with reservation, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Morgan of Robertson:

H. B. No. 673. A bill to be entitled "An Act defining 'commission,' 'public roads,' 'highways,' 'railroads,' 'railroad grade crossings,' 'separation of grades,' 'underpasses,' 'overpasses,' authorizing the State Railroad Commission to curtail the construction of railroad grade crossings and to provide for the elimination of grade crossings already constructed, in certain cases; to authorize the Railroad Commission to conduct hearings and issue orders and decisions in respect to the construction of underpasses and overpasses, and elimination of grade crossings already constructed; authorizing the acquiring of additional right-of-way; providing for maintenance of underpasses and overpasses; providing for apportionment of the expenses of crossings constructed under the provisions of this act; providing the manner of enforcing the orders issued by the Railroad Commission pursuant hereto; providing right of appeal from the decisions of the Railroad Commission, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Smith and Mr. Thrasher:

H. B. No. 674. A bill to be entitled "An Act exempting Travis county for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts 1918, Fourth Called Session, and providing for an emergency."

Referred to Committee on Game and Fisheries.

By Mr. LeSturgeon:

H. B. No. 675. A bill to be entitled "An Act making it unlawful for any person, firm or corporation to sell or offer for sale for human consumption any milk which has had the cream line increased by any artificial means; pro-

viding for an appropriate penalty for the violation thereof."

Referred to Committee on Public Health.

By Mr. Burmeister:

H. B. No. 676, A bill to be entitled "An Act to create and establish the county of Bishop out of the territory taken from the existing counties of LaSalle, Frio and McMullen; prescribing its area and boundaries; appointing commissioners to organize said county of Bishop and prescribing their duties; providing for a division of said county into commissioners' and justices' precincts; providing for the holding of elections for county and judicial officers; providing for the attaching of said county to judicial, representative, senatorial and congressional districts; providing for the assessment and collection of taxes; for the defraying of the expenses of organizing said county and for the payment of the proportion of the liabilities of said counties of LaSalle, Frio and McMullen, chargeable respectively on the territory taken from them; defining such liabilities and declaring an emergency."

Referred to Committee on Counties.

#### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 256, to the Committee on Education.

Senate bill No. 271, to the Committee on Banks and Banking.

Senate bill No. 349, to the Committee on Education.

#### RELATING TO ADOPTION OF JOINT RULES OF THE LEGISLATURE.

Mr. Satterwhite offered the following resolution:

H. C. R. No. 26, Relating to adoption of joint rules.

Resolved by the House of Representatives, the Senate concurring, That the joint rules of the Senate and House, as printed in the Legislative Manual of the Thirty-seventh Legislature, be adopted as the joint rules of the Thirty-eighth Legislature.

The resolution was read second time and was adopted.

#### BILL AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, following enrolled bill and resolutions:

H. C. R. No. 23, Providing for entertainment by Amateur Choral Club of Austin.

H. C. R. No. 24, Inviting Hon. Sidney Smith to address the Legislature.

H. B. No. 234, "An Act creating the Springlake Independent School District in Lamb county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the trustees thereof; providing for the election of its first board of trustees and their successors; providing that certain territory taken away from the Sudan Independent School District in Lamb county, Texas, and placed within the Springlake Independent School District shall remain chargeable with its pro rata part of any bonded indebtedness heretofore voted in said Sudan Independent School District; and providing that the Springlake Independent School District as herein created may as a whole vote to assume such pro rata part of said bonds; providing for the appointment of a board of equalization and tax assessor and collector for said district, and declaring an emergency."

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 301.

Mr. Baker of Milam called up for consideration at this time, the following report:

Committee Room,

Austin, Texas, March 1, 1923.

Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler, Speaker of the House of Representatives.

Gentlemen: Your Free Conference Committee, to whom was referred Senate bill No. 301, beg leave to report that we have carefully considered the same and report it back with the recommendation that it do not pass, but that the following committee substitute do pass:

Committee Substitute for Senate Bill  
No. 301.

A BILL

To Be Entitled

"An Act requiring the State Insurance Commission to make, establish and promulgate classifications of hazards and rates of premium under the Workmen's Compensation Law of this State and to prescribe standard workmen's compensation policy forms; requiring all companies and associations writing workmen's compensation insurance to use the classifications, rates and policy forms established, promulgated and prescribed by the commission; providing for the use of classifications, rates and forms now on file with and approved by the Commissioner of Insurance until classifications, rates and policy forms have been made and prescribed by the commission, requiring the commission to assemble data for use in establishing classifications and rates, and requiring the Commissioner of Insurance to deliver to the commission all data under his control now used in establishing classifications, rates and policy forms; authorizing and empowering the commission to require sworn statements from insurance companies and associations containing certain statistical data and requiring the commission to prescribe necessary forms for such statements; fixing the manner in which the commission shall determine hazards and prescribing the time and character of rates which shall be fixed and providing what data shall be taken into consideration by the commission in fixing rates; providing for hearings before the commission and the manner in which the same shall be conducted; requiring the use of uniform policy for workmen's compensation insurance but allowing any company or association to use any form of endorsement appropriate to its plan of operation, providing the same shall first be approved by the commission, and providing any contract or agreement not written into the application and policy shall be void, and providing for penalty for violation; providing that no company or association shall be prohibited from writing workmen's compensation insurance on the mutual, reciprocal, inter-insurance exchange or Lloyds plan, and that no stock company or

other company or association shall be prohibited from sharing profits with policy holders, but providing that no dividends to policy holders shall take effect until approved by the commission, and providing that no dividends shall be approved until adequate reserves have been provided; fixing the salaries of the members of the commission hereunder, and providing for expenditures to meet expenses hereunder, and fixing a maximum amount of such salaries and expenditures, providing for the annual assessment and collection of a tax on premiums for workmen's compensation insurance policies to defray the salaries and expenses of the commission hereunder, and provided that any unexpended balance shall be transferred to the general revenue of the State; empowering the commission to make and enforce reasonable rules and regulations negating the applications hereto of any of the provisions creating the State Insurance Commission; defining the words 'company' and 'association,' repealing Sections 16c and 17 of Part III, and part of Section 2 of Part IV of Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, known as the Workmen's Compensation Law, and all other sections or parts of sections of said law, and all others laws or parts of laws in conflict herewith or with any provision hereof; providing that if any part of this act be held unconstitutional it shall not affect any other part of this act, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That in addition to the duties now imposed by law upon the State Insurance Commission, hereinafter called the commission, created by Chapter 106 of the General Laws of the Thirty-third Legislature, the said commission shall hereafter make, establish and promulgate all classifications of hazards and rates of premium, respectively, applicable to each, contemplated and provided for by Chapter 103 of the General Laws of the Thirty-fifth Legislature of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, known as the Workmen's Compensation Law, and shall prescribe standard policy forms to be used by all companies or associations writing

workmen's compensation insurance in this State.

Sec. 2. After the taking effect of this act, no company or association authorized to write workmen's compensation insurance in this State shall, except as hereinafter provided for, use any classifications of hazards, rates of premium or policy forms other than those made, established and promulgated and prescribed by the commission.

Sec. 3. After this act shall take effect the commission shall assemble all necessary data for its use in establishing classifications of hazards and making and promulgating premium rates, and the Commissioner of Insurance of this State shall be and is hereby required to deliver to the commission all books, files, papers and records of every character under his control now used in establishing classifications of hazards and making and promulgating premium rates and prescribing policy forms.

Sec. 4. Until the commission shall have established and promulgated its classifications of hazards and premium rates and policy forms, the classifications and rates and forms now on file with and approved by the Commissioner of Insurance shall remain in effect.

Sec. 5. The commission is hereby authorized and empowered to require sworn statements from any insurance company or association affected by this act showing the payroll reported to it and incurred losses by classifications and such other information which in the judgment of the commission may be necessary or helpful in determining proper classifications, rates and forms. The commission shall prescribe the necessary forms for such statements and reports, having due regard to the rules, methods and forms in use in other States for similar purposes in order that uniformity of statistics may not be disturbed.

Sec. 6. The commission shall determine hazards by classes and fix such rates of premium applicable to the payroll in each of such classes as shall be adequate to the risks to which they apply and consistent with the maintenance of solvency and the creation of adequate reserves and a reasonable surplus, and for such purpose may adopt a system of schedule and experience rating in such manner as to take account of the peculiar hazard of each individual risk, provided such rates shall be fair and reasonable and not confiscatory as to any class of insurance carriers author-

ized by law to write workmen's compensation insurance in this State. To insure the adequacy and reasonableness of rates, the commission shall take into consideration an experience gathered from a territory sufficiently broad to include the varying conditions of the industries in which the classifications are involved, and over a period sufficiently long to insure that the rates determined therefrom shall be just, reasonable and adequate rates, and to that end the commission shall exchange information and experience data with the rate-making bodies of other States and shall consult any national organization or association now or hereafter existing for the purpose of assembling data for the making of compensation insurance rates.

Sec. 7. Any policy holder, insurance company or association shall have the right to a hearing before the commission on any grievance occasioned by the promulgation of any classification, rate or policy form by the commission; such hearing to be held in conformity with rules to be prescribed by the commission. No hearing shall suspend the operation of any classification, rate or policy form unless the commission shall so order.

Sec. 8. In addition to the duty of prescribing classifications and rates, the commission shall prescribe a uniform policy for workmen's compensation insurance and no company or association shall thereafter use any other form in writing workmen's compensation insurance in this State, provided, however, that any company or association may use any form of endorsement appropriate to its plan of operation, provided such endorsement shall be first submitted to and approved by the commission, and any contract or agreement not written into the application and policy shall be void and of no effect and in violation of the provisions of this act, and shall be sufficient cause for revocation of license to write workmen's compensation insurance within this State.

Sec. 9. Nothing in this act shall be construed to prohibit the operation hereunder of any stock company, mutual company, reciprocal or inter-insurance exchange or Lloyd's association issuing participating policies, provided no dividend to subscribers under the Workmen's Compensation Act shall take effect until the same has been approved by the commission; and provided further, that no such dividend shall be approved until

adequate reserves have been provided, said reserves to be computed on the same basis for all classes of companies or associations operating under this act, as prescribed under the insurance laws of the State of Texas.

Sec. 10. The members of the commission other than the Commissioner of Insurance shall each receive as compensation or salary for their services under this act, in addition to their compensation as now fixed by law, the sum of one hundred (\$100) dollars per annum; and the Commissioner of Insurance shall receive as compensation or salary for his services under this act, in addition to his compensation or salary as now fixed by law, the sum of fifty (\$50) dollars per annum. Such additional compensation or salary herein provided for, together with the necessary compensation of experts, the clerical force and other persons employed by the commission to carry out the purposes of this act, and all necessary traveling expenses and such other expenses as may be necessarily incurred in carrying out the provisions of this act, shall be paid by warrants drawn by the Comptroller upon the State Treasurer upon the order of the commission; provided, that the total amount of all salaries and said other expenses under this act shall not exceed the sum assessed and collected from said companies and associations.

Sec. 11. For the purpose of paying the additional compensation or salaries of the members of the commission under this act, and of defraying the expenses of carrying out the provisions of this act, there shall be annually assessed and collected by the State of Texas from each and every company and association writing workmen's compensation insurance in this State, in addition to all other taxes now imposed, or which may hereafter be imposed by law, a tax of three-fifths of one per cent of the gross premiums collected by such company or association during the preceding year under workmen's compensation insurance policies written by said companies and associations covering risks in this State, according to the reports made to the Commissioner of Insurance as required by law; and said taxes when collected shall be placed in a separate fund with the State Treasurer to be expended during the current year in carrying out the provisions of this act; provided that such expenditures, including the salaries of the members of the com-

mission hereunder, shall not exceed in the aggregate the sum assessed and collected from said companies and associations; and, should there be an unexpended balance at the end of any year, such unexpended balance shall be transferred by the State Treasurer to the credit of the general revenue of the State.

Sec. 12. The commission is hereby empowered to make and enforce all such reasonable rules and regulations not inconsistent with the provisions of this act as are necessary to carry out its provisions.

Sec. 12a. Any company or association, or officer or representative thereof, which shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars for the first offense, and upon conviction for a second offense, in addition to such fine, the Commissioner of Insurance shall cancel the license of such insurance company or association or person to transact workmen's compensation business in this State.

Sec. 13. No provisions of the act creating the State Insurance Commission hereinbefore referred to, with regard to the fixing and promulgation of rates for fire insurance or the prescribing of fire insurance policies and forms shall be applicable to the fixing of compensation insurance classifications or the making of compensation insurance rates or the prescribing of compensation insurance policy forms; but the provisions of this act shall be construed and applied independently of any other law or laws, or parts of law, having to do with the matter of insurance rates and forms or of fixing the duties of the State Insurance Commission.

Sec. 14. Whenever the words "company" and "association" are used in this act the same shall mean the Texas Employers' Insurance Association or any stock company, or any mutual company, or any reciprocal, or any inter-insurance exchange, or Lloyd's association, authorized by the Commissioner of Insurance to write workmen's compensation insurance in this State.

Sec. 15. Sections 16c and 17 of Part III, Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, known as the Workmen's Compensation Law, and so much of Section 2 of Part

IV of said Workmen's Compensation Law as provides that any insurance company "shall file with the Commissioner of Insurance and Banking its classification of hazards with the rates of premium respectively applicable to each, none of which shall take effect until the Commissioner of Insurance and Banking has approved same as adequate to the risks to which they respectively apply and not less than charged by the association," and any other section or sections, or parts of any section or sections, of said Workmen's Compensation Law in, conflict herewith or with any provision hereof, and all other laws or parts of laws in conflict herewith or with any provision hereof, are hereby repealed.

Sec. 15a. Said commission shall publish all rates promulgated by it as affect compensation insurance in this State, and said rates or any change therein, shall be published fifteen days before they become effective and in force.

Sec. 15b. The term Commissioner of Insurance as used in this act shall be held to mean the Commissioner of Insurance and Banking as now constituted or such officer as may hereafter be head of the Insurance Department of this State.

Sec. 16. If any part of this act be for any reason held unconstitutional, it shall not affect any other portion or part of this act.

Sec. 17. The fact that there is now no properly organized State authority for the making and promulgating of classifications and rates for compensation insurance in this State creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

FAIRCHILDS,  
BLEDSE,  
DAVIS,  
POLLARD,  
McMULLEN.

On the part of the Senate.

BAKER of Milam,  
POOL,  
LACKEY,  
WALLACE,  
BONHAM.

On the part of the House.

On motion of Mr. Baker of Milam, the report was adopted.

BILL ORDERED NOT PRINTED.

On motion of Mr. Laird, it was ordered that House bill No. 657 be not printed.

RELATING TO SPECIAL ORDER.

On motion of Mr. Burmeister, by unanimous consent, the House agreed to consider House bill No. 452 as a special order for 11 o'clock a. m. today.

On motion of Mr. Stewart of Reeves, by unanimous consent, the House agreed to consider local bills as a special order for 2 o'clock p. m. today.

HOUSE BILL NO. 97 ON ENGROSSMENT.

The Speaker laid before the House as unfinished business, on its passage to engrossment,

H. B. No. 97, A bill to be entitled "An Act prohibiting the teaching of evolution in any of its phases in the public schools or any of our higher educational institutions in the State of Texas, supported in whole or in part by taxation; and prohibiting the members of the State Text Book Commission from adopting or recommending any text book which teaches the theory of evolution, either directly or indirectly, and for other purposes."

The bill having heretofore been read second time, with amendment by Mr. Greer pending,

Mr. Wallace offered the following amendment to the amendment:

Amend the substitute to House bill No. 97, Section 2, by adding after the word "evolution" the words "as a fact as to the origin of man."

Mr. Simpson moved the previous question on the pending amendments and the bill and the motion was not seconded.

Mr. Laird offered the following substitute for the amendment to the amendment:

Amend substitute to House bill No. 97 by striking out all of Section 2 and substituting the following:

"Sec. 2. It shall be unlawful for the Texas State Text Book Commission, or any member thereof, to adopt or recommend for adoption any text book which teaches any phases of the said theories of evolution as a fact or in any way discredits Genesis' account of the origin of man, or advances the idea that man was evolved from the lower forms of animal life."

Mr. Hardin of Kaufman moved that

further consideration of the bill be postponed indefinitely.

Question first recurring on the substitute amendment, it was adopted.

Question next recurring on the amendment to the amendment as substituted, it was adopted.

Mr. Baker of Milam offered the following amendment to the amendment:

Amend House bill No. 97 by striking out from line 2, Section 1, the word "theistic" and insert the following: "which holds that man evolved from the ape."

The amendment to the amendment was adopted.

Question recurring on the amendment by Mr. Greer as amended, it was adopted.

Mr. Greer offered the following amendment to the bill:

Amend the caption by striking out all above the enacting clause and inserting the following:

"A bill to be entitled "An Act prohibiting the teaching of evolution as a fact as it applies to the origin of life and species in the public schools, or any of our higher educational institutions in the State of Texas supported in whole or in part by taxation; and prohibiting the members of the State Text Book Commission from adopting or recommending any text book which teaches the theory of evolution, either directly or indirectly.'"

The amendment was adopted.

Mr. Pate moved to table the motion of Mr. Hardin of Kaufman to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

#### Yeas—65.

Abney.	Faubion.
Arnold.	Fields.
Atkinson.	Gipson.
Avis.	Greer.
Baker of Milam.	Hardin of Erath.
Barker.	Howeth.
Bird.	Irwin.
Bonham.	Laird.
Carson.	Lamb.
Carter of Hays.	Lane.
Crawford.	LeMaster.
Davis.	LeSturgeon.
Dielmann.	McBride.
Dodd.	McDaniel.
Driggers.	McDonald.
Duffey.	McFarlane.
Dunlap.	McNatt.
Durham.	Melson.

Merriman.	Sackett.
Merritt.	Sanford.
Morgan	Shires.
of Liberty.	Sparkman.
Pate.	Stewart of Jasper.
Patman.	Stewart
Perdue.	of Edwards.
Pinkston.	Stewart of Reeves.
Potter.	Stroder.
Purl.	Sweet.
Quinn.	Thrasher.
Rice.	Wallace.
Rogers.	Westbrook.
Rountree.	Wilmons.
Rowland.	Winfree.
Russell of Trinity.	Young.

#### Nays—39.

Amsler.	Jennings.
Barrett.	Lackey.
Beasley.	Loftin.
Bell.	Martin.
Burmeister.	Mathes.
Carpenter	Maxwell.
of Matagorda.	Morgan
Carter of Coke.	of Robertson.
Coffee.	Patterson.
Cowen.	Pool.
DeBerry.	Pope.
Downs.	Robinson.
Dunn.	Russell
Edwards.	of Callahan.
Hardin	Satterwhite.
of Kaufman.	Shearer.
Harrington.	Smith.
Harris.	Stevens.
Henderson	Storey.
of Marion.	Wessels.
Hendricks.	Wilson.

#### Present—Not Voting.

Bryant.

#### Absent.

Baker of Orange.	Johnson.
Blount.	Jones.
Cable.	Kemble.
Carpenter	Lewis.
of Dallas.	Looney.
Collins.	McKean.
Covey.	Miller.
Culp.	Montgomery.
Davenport.	Moore.
Finlay.	Price.
Fugler.	Quaid.
Green.	Simpson.
Henderson	Teer.
of McLennan.	Thompson.
Houston.	Turner.
Hughes.	Vaughan.
Hull.	Williamson.
Jacks.	

#### Absent—Excused.

Baldwin.

Brady.

Chitwood.  
Dinkle.  
Frnka.  
Lusk.

Stell.  
Stiernberg.  
Strickland.

Paired.

Mr. Wells (present), who would vote "nay," with Mr. Bobbitt (absent), who would vote "yea."

(Mr. Henderson of McLennan in the chair.)

Mr. Potter moved the previous question on the engrossment of the bill, and the main question was ordered.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 97 was then passed to engrossment by the following vote:

Yeas—69.

Abney.	McBride.
Arnold.	McDaniel.
Atkinson.	McDonald.
Avis.	McFarlane.
Baker of Milam.	McNatt.
Baker of Orange.	Merriman.
Barker.	Merritt.
Bird.	Morgan
Bonham.	of Liberty.
Cable.	Pate.
Carson.	Perdue.
Carter of Hays.	Pinkston.
Collins.	Pope.
Crawford.	Potter.
Culp.	Purl.
Davis.	Quinn.
Dielmann.	Rice.
Dodd.	Rountree.
Downs.	Rowland.
Driggers.	Russell of Trinity.
Duffey.	Sackett.
Dunlap.	Sanford.
Durham.	Sparkman.
Faubion.	Stewart of Jasper.
Fields.	Stewart of Reeves.
Gipson.	Stroder.
Greer.	Sweet.
Hardin of Erath.	Thrasher.
Howeth.	Wallace.
Lackey.	Westbrook.
Laird.	Wilmans.
Lamb.	Winfree.
Lane.	Young.
LeMaster.	

Nays—32.

Beasley.	Fugler.
Bell.	Hardin
Burmeister.	of Kaufman.
Carpenter	Harrington.
of Matagorda.	Harris.
Carter of Coke.	Henderson
DeBerry.	of Marion.
Dunn.	Hendricks.

Jennings.	Price.
Jones.	Robinson.
Loftin.	Russell
Mathes.	of Callahan.
Maxwell.	Satterwhite.
Miller.	Shearer.
Morgan	Simpson.
of Robertson.	Storey.
Patman.	Wessels.
Patterson.	Wilson.
Pool.	

Present—Not Voting.

Bryant.	Shires.
Martin.	

Absent.

Barrett.	Johnson.
Blount.	Kemble.
Carpenter	LeStourgeon.
of Dallas.	Lewis.
Coffee.	Looney.
Covey.	McKean.
Cowen.	Melson.
Davenport.	Montgomery.
Edwards.	Moore.
Finlay.	Quaid.
Green.	Rogers.
Henderson	Smith.
of McLennan.	Stevens.
Houston.	Teer.
Hughes.	Thompson.
Hull.	Turner.
Irwin.	Vaughan.
Jacks.	Williamson.

Absent—Excused.

Baldwin.	Lusk.
Brady.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.
Frnka.	

Paired.

Mr. Wells (present), who would vote "yea," with Mr. Bobbitt (absent), who would vote "nay."

Mr. Amsler (present), who would vote "nay," with Mr. Stewart of Edwards (absent), who would vote "yea."

Reason For Vote.

I voted "nay" on House bill No. 97 because I have not been convinced that the theory that man descended from animal life is being taught in any school supported by State money and further because the bill provides no penalty for violations of said act and would therefore be unenforceable. If the theory that man descended from animal life is being taught as a fact in our schools which are supported by State taxation, it should be prevented and I would vote



for such a measure carrying appropriate penalties for violations.

PATMAN.

Mr. Greer moved to reconsider the vote by which House bill No. 97 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 168.

Mr. Pope called up for consideration at this time the following conference committee report on House bill No. 168:

Committee Room,  
Austin, Texas, February 22, 1923.  
Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler, Speaker of the House of Representatives.

Gentlemen: We, your Free Conference Committee appointed on House bill No. 168, A bill to be entitled "An Act amending Section 23 of an act passed at the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a permanent Text Book Commission for the State of Texas, to be styled "The Texas State Text Book Commission," defining its membership and appointment, etc.,' being Senate bill No. 16, Chapter 44 of said Acts of the First Called Session of the Thirty-fifth Legislature, and to repeal all laws in conflict herewith, and declaring an emergency,"

Have had same under consideration and beg leave to report that we have adjusted the differences between the House and Senate and have adopted House bill No. 168 as passed by the House with the following amendment, and recommend that said House bill No. 168 be passed with the said following amendment, which is as follows:

Amend House bill No. 168 by striking out all of line 11, Section 23, page 1, of the engrossed bill beginning with the word "provided" and strike out all of line 12, said Section 23, page 1 of said engrossed bill and strike out all of lines 1, 2, 3, 4, and 5, page 2 of engrossed bill and insert in lieu thereof the following:

"Provided that all books in use in the public schools of this State on December 1, 1922, shall be continued in use as text books to the exclusion of all others in the public free schools of this

State until August 31, 1925, and until the Text Book Commission of the State of Texas, under the provisions hereof and under existing laws, shall make valid and legal contracts otherwise; it being expressly provided that if at the expiration of any contract or extension thereof before August 31, 1925, by virtue of which any of such books in use on December 1, 1922, were supplied, the Text Book Commission finds after thorough examination and investigation that the prices of such books covered by such expiring contracts or expiring extensions are too high, or obsolete, or otherwise detrimental to the best interests of the children in school, or that the holders of such expiring contracts or expiring extensions will not furnish the books covered thereby at the prices therein fixed, then such commission is authorized to secure said books or others as substitutes therefor, as is provided herein and by existing law."

Respectfully submitted,

THOMAS,  
McMILLIN,  
STUART,  
DUDLEY,  
WIRTZ,  
DARWIN,  
HOLBROOK,

On the part of the Senate.

POPE,  
GREER,  
CRAWFORD,  
STOREY,  
LOFTIN,  
GREEN,

On the part of the House.

Mr. Pope moved that the report be adopted.

Mr. Rountree moved that consideration of the report be postponed until 11 o'clock a. m. next Monday.

Mr. Pope moved to table the motion to postpone.

Mr. Pope moved a call of the House for the purpose of maintaining a quorum pending consideration of conference committee report on House bill No. 168, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

(Speaker in the chair.)

The roll was called and a quorum was announced present.

Question recurring on the motion to table the motion to postpone, yeas and nays were demanded and the motion to table prevailed by the following vote:

## Yeas—73.

Abney.	Laird.
Amsler.	Lane.
Arnold.	LeSturgeon.
Avis.	Loftin.
Barker.	McBride.
Beasley.	McDaniel.
Bird.	McDonald.
Bryant.	McFarlane.
Burmeister.	Melson.
Cable.	Merritt.
Carson.	Miller.
Carter of Coke.	Pate.
Collins.	Patman.
Cowen.	Patterson.
Crawford.	Perdue.
Culp.	Pinkston.
Davis.	Pope.
DeBerry.	Potter.
Dielmann.	Rice.
Dodd.	Rowland.
Downs.	Russell
Duffey.	of Callahan.
Dunlap.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Fields.	Simpson.
Finlay.	Sparkman.
Fugler.	Stevens.
Greer.	Stewart of Jasper.
Hardin of Erath.	Storey.
Hardin	Stroder.
of Kaufman.	Thompson.
Henderson	Thrasher.
of Marion.	Wells.
Henderson	Westbrook.
of McLennan.	Wessels.
Hendricks.	Wilmans.
Howeth.	Young.
Lackey.	

## Nays—32.

Barrett.	Moore.
Bell.	Morgan
Blount.	of Liberty.
Bonham.	Morgan
Carpenter	of Robertson.
of Matagorda.	Price.
Carter of Hays.	Purl.
Coffee.	Quaid.
Durham.	Quinn.
Harris.	Rountree.
Jennings.	Satterwhite.
Jones.	Shires.
Lamb.	Stewart of Reeves.
LeMaster.	Sweet.
McNatt.	Wallace.
Martin.	Wilson.
Maxwell.	Winfree.

## Absent.

Atkinson.	Lewis.
Baker of Milam.	Looney.
Baker of Orange.	McKean.
Bobbitt.	Mathes.
Covey.	Merriman.
Davenport.	Montgomery.
Driggers.	Pool.
Dunn.	Robinson.
Gipson.	Rogers.
Green.	Shearer.
Harrington.	Smith.
Houston.	Stewart
Hughes.	of Edwards.
Hull.	Teer.
Irwin.	Turner.
Jacks.	Vaughan.
Johnson.	Williamson.
Kemble.	

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

Mr. LeSturgeon moved the previous question on the adoption of the report, and the main question was ordered.

Question recurring on the motion of Mr. Pope that the report be adopted, yeas and nays were demanded, and the report was adopted by the following vote.

## Yeas—93.

Abney.	Dunlap.
Amsler.	Dunn.
Arnold.	Durham.
Atkinson.	Edwards.
Avis.	Faubion.
Baker of Milam.	Fields.
Barker.	Finlay.
Barrett.	Fugler.
Beasley.	Gipson.
Bird.	Greer.
Bonham.	Hardin of Erath.
Bryant.	Hardin
Burmeister.	of Kaufman.
Cable.	Henderson
Carter of Coke.	of McLennan.
Coffee.	Hendricks.
Collins.	Howeth.
Cowen.	Irwin.
Crawford.	Jacks.
Culp.	Jennings.
Davis.	Lackey.
DeBerry.	Laird.
Dielmann.	Lane.
Dodd.	LeMaster.
Downs.	LeSturgeon.
Driggers.	Lewis.
Duffey.	Loftin.

McBride.	Rowland.
McDaniel.	Russell
McDonald.	of Callahan.
McFarlane.	Russell of Trinity.
Melson.	Sackett.
Merritt.	Sanford.
Miller.	Shearer.
Montgomery.	Simpson.
Moore.	Sparkman.
Pate.	Stevens.
Patman.	Stewart of Jasper.
Patterson.	Storey.
Perdue.	Stroder.
Pinkston.	Thompson.
Pope.	Thrasher.
Potter.	Turner.
Price.	Wells.
Quinn.	Westbrook.
Rice.	Wessels.
Robinson.	Wilmans.
Rogers.	Young.

Nays—22.

Bell.	Maxwell.
Blount.	Morgan
Carpenter	of Robertson.
of Matagorda.	Purl.
Carter of Hays.	Quaid.
Covey.	Rountree.
Harrington.	Shires.
Harris.	Stewart of Reeves.
Jones.	Sweet.
Lamb.	Wallace.
Martin.	Wilson.
Mathes.	Winfree.

Present—Not Voting.

Henderson of Marion.

Absent.

Baker of Orange.	McNatt.
Bobbitt.	Merriman.
Carson.	Morgan
Davenport.	of Liberty.
Green.	Pool.
Houston.	Satterwhite.
Hughes.	Smith.
Hull.	Strickland.
Johnson.	Teer.
Kemble.	Vaughan.
Looney.	Williamson.
McKean.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stewart
Chitwood.	of Edwards.
Dinkle.	Stiernberg.

Mr. Pope moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 2, 1923.

Hon. R. E. Seagler, Speaker of the House  
of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report on Senate bill No. 301, and adopted the free conference committee report on Senate bill No. 60.

The Senate has granted the request of the House for a free conference committee on House bill No. 294, and the following are appointed on behalf of the Senate: Senators Strong and Davis.

Senators Bailey, Strong, Wood, Witt and Baugh have resigned from the free conference committee on House bill No. 160, and Senators Dudley, Wirtz, Stuart, McMillin and Thomas have been appointed to serve on said committee in place of those resigned.

The Senate has passed the following bills:

S. B. No. 21, A bill to be entitled "An Act to permit defendants in cases in which requisitions have been issued for them by the Governor and where they appeal their cases to the Court of Criminal Appeals to give bond the same as defendants in other felony cases, and declaring an emergency."

S. B. No. 40, A bill to be entitled "An Act to define and regulate the practice of professional nursing; to create a Board of Nurse Examiners for the examination and licensing of nurses and to prescribe their qualifications; to provide for the proper registration and for the revocation of certificates and to fix suitable penalty for the violation of this act; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 128, A bill to be entitled "An Act to require all locomotives, engines and boilers operated in or near any forest or other land adjacent to forest land, and not equipped to use oil for fuel, to be provided with an efficient device to prevent the escape of sparks and fire; providing such fire prevention devices must be maintained in repair; providing a penalty for non-compliance; providing that no person shall wilfully or negligently cause or permit forest or other fires that may damage forest growth, and providing a penalty."

S. B. No. 191, A bill to be entitled "An Act authorizing the incorporation of mutual hail insurance companies;

regulating the business of such companies; providing for the investment of the reserve funds of such companies; requiring annual reports; fixing the fees to be paid by such companies, and declaring an emergency," with engrossed riders.

S. B. No. 207, A bill to be entitled "An Act to regulate the taking of fish from that part of fresh water streams situated within the limits of any incorporated city, town or village in this State; prescribing a penalty for the violation of this act, and declaring an emergency."

S. B. No. 216, A bill to be entitled "An Act amending Chapter 3 of Title 49 of the Revised Civil Statutes of 1911, by adding after Article 2933 another article numbered 2933a, providing a means by which candidates may get their names on the official ballots in elections to fill vacancies in the Senate or House of Representatives of this State, and declaring an emergency."

S. B. No. 219, A bill to be entitled "An Act amending Article 695a of the Penal Code of the State of Texas."

S. B. No. 237, A bill to be entitled "An Act with reference to the public roads in Fayette, Colorado, Lavaca and Austin counties; exempting all firemen employed by any municipality or other governmental agency in such counties from road or street duty or the payment of any money in lieu thereof, and declaring an emergency."

S. B. No. 246, A bill to be entitled "An Act to amend Chapter 26, Section 1, Acts of the Thirty-sixth Legislature, providing for emergency transfer of school children, and declaring an emergency."

S. B. No. 247, A bill to be entitled "An Act to amend Article 2760, Revised Statutes, 1911, authorizing the transfer of school children, and declaring an emergency."

S. B. No. 248, A bill to be entitled "An Act to require a record kept and report made of attendance of teachers at summer normals and county institutes, and providing full pay for attendance upon teachers' institutes."

S. B. No. 249, A bill to be entitled "An Act to provide for the issuance of serial coupon bonds for the purpose of constructing teachers' homes and purchasing land in connection therewith, and declaring an emergency."

S. B. No. 251, A bill to be entitled "An Act to amend Article 2904, Revised

Statutes 1911, forbidding trustees and teachers to be interested in the sale of text books, and declaring an emergency."

S. B. No. 261, A bill to be entitled "An Act to amend Chapter 6, Title 32, of the Revised Statutes of Texas, 1911, by adding thereto Article 1609a, providing that when there is a defect in substance, form or parties in any petition for a writ of error pending before any of the appellate courts of this State, the writ of error shall not be dismissed because of such defects until after the plaintiff in error is given an opportunity to cure the same, and the appellate court shall grant the plaintiff in error not less than thirty days' additional time after notice of such defects in which to correct the same by amendment or as the court may direct, and making the amendment apply to all writs of error pending before any of the appellate courts at the time of the passage of this act; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 268, A bill to be entitled "An Act to amend Articles 6901a and 6901d of Chapter 1, Title 119, of the Revised Civil Statutes of Texas of 1911, as enacted by Chapter 29 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Chapter 98, General Laws, Regular Session, Thirty-sixth Legislature, and to amend Articles 6901b, 6901c, and 6901e of said chapter and title of the Revised Civil Statutes as enacted by Chapter 29 of the General Laws of the Fourth Called Session, Thirty-fifth Legislature, and adding thereto Articles 6901cc, 6901dd and 6901ff, all of which articles of the statutes relate to the compensation of county commissioners; repealing all laws and parts of laws in conflict herewith, and declaring an emergency," with engrossed riders.

S. B. No. 273, A bill to be entitled "An Act to amend Articles 3635, 3636, 3637 and 3639, Chapter 32, Title 52, of the Revised Statutes of Texas, in reference to appeals from county courts to district courts in estate matters."

S. B. No. 288, A bill to be entitled "An Act amending Article 303 of the Penal Code of the State of Texas so as to permit the sale of gasoline and lubricants on Sunday, and declaring an emergency."

S. B. No. 317, A bill to be entitled "An Act amending Article 1017, Chapter 11, Title 22, of the Revised Civil Stat-

utes of 1911, so as to provide that the provisions of the chapter be cumulative, and declaring an emergency."

H. B. No. 47, A bill to be entitled "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, extending the term of said commission to the last Saturday in June, 1923, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1923, until the last Saturday in June, 1925; for the appointment of judges for such extended term; providing for the qualifications thereof and fixing the same, and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

H. B. No. 70, A bill to be entitled "An Act to amend Article 2178, Chapter 24, Title 37, of the Revised Civil Statutes of Texas, making attorney's fees recoverable in certain cases, by adding thereto a provision making the attorney's fees recoverable in certain suits for loss of, or damage to, express shipments, and declaring an emergency."

H. B. No. 177, A bill to be entitled "An Act to amend Article 5645, Chapter 4, Title 86, Revised Statutes of 1911, Chapter 152, of the General Laws of 1897, Acts of the Twenty-fifth Legislature, same being an act to protect accountants, bookkeepers, clerks, artisans, craftsmen, operatives, servants, mechanics, quarrymen, common laborers and farm hands; to provide a lien and preserve a time of payment in lawful money of the United States and prescribing the duty of the assignee or assignees of such person or persons, employer, firm or corporation, by changing the time when a duplicate account shall be presented to employer, person, firm or corporation from thirty to ninety days and by changing the time of filing the other duplicate accounts with the county clerk from thirty to ninety days; re-

pealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 279, A bill to be entitled "An Act to amend Article 2771, Revised Statutes of 1911, as amended by the Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositories of independent districts," with amendment.

H. B. No. 287, A bill to be entitled "An Act providing that a water improvement district which has made and filed an application with the State Board of Water Engineers for the appropriation and use of water on certain defined lands and for the storage of the water of a stream and watershed and shall have been granted a permit therefor by the State Board of Water Engineers, and parts of said land for which such water was appropriated for irrigation are not included within such district granted such permit, but is included within another district, the said district to which said permit was granted may convey same and all rights granted by said permit insofar as same pertain to said lands to the district in which said lands are located, validating such permits, and declaring an emergency."

H. B. No. 578, A bill to be entitled "An Act to amend an act passed by the Regular Session of the Thirtieth Legislature, known as House bill No. 470, and approved April 4, 1907, entitled 'An Act creating an independent school district to be known as the Coleman Independent School District, including within its limits the municipal corporation of the town of Coleman, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board,' so as to hereafter read as follows, and extending and defining its boundaries, and including within its limits the municipal corporation of the city of Coleman, and to provide for the creating of a board of trustees thereof, and to authorize the board of trustees to levy, assess and col-

lect special taxes and provide authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay all current expenses for the maintenance and support of said school, declaring valid all issues of bonds heretofore made, declaring valid maintenance tax heretofore voted, and repealing all laws in conflict herewith insofar as they conflict with this act, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### LEAVE OF ABSENCE GRANTED.

On motion of Mr. Robinson, the following members were granted leaves of absence for yesterday afternoon on account of important committee work:

Messrs. Beasley, Cowen, Wallace, Lewis and Harrington.

#### HOUSE BILL NO. 452 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 452, A bill to be entitled "An Act amending Section 1 of Chapter 5 of the General Laws of the First Called Session of the Thirty-fifth Legislature, and providing for the fixing of an indeterminate sentence upon conviction for a felony; and providing for conditional pardon of persons convicted of felony under certain conditions."

The bill was read second time.

Mr. Burmeister offered the following amendment to the bill:

Strike out all after Section 1 on page 1, line 16, to the end of said Section 1, and insert the following:

"That whenever any person seventeen years of age or over shall be on trial for any felony, the jury trying said cause shall not only ascertain whether or not said person is guilty of the offense charged in the indictment, if said person is found guilty, but shall also in the verdict assess by punishment or penalty within the period of time fixed by law as the maximum and minimum penalty for such offense; provided, if the jury shall assess the punishment of such offense at a longer period of time than the minimum period of imprisonment in the penitentiary for such offense then the judge presiding in such cause, in passing sentence on such per-

son, instead of pronouncing a definite time of imprisonment in the penitentiary on such person so convicted, he shall pronounce upon such person an indeterminate sentence of imprisonment in the penitentiary, fixing in such sentence the minimum and maximum terms thereof, fixing in such sentence as the minimum time of imprisonment in the penitentiary the time now or hereafter prescribed by law as the minimum time of imprisonment in the penitentiary and as the maximum time of such imprisonment the term fixed by the jury in their verdict as punishment for such offense; provided, that if the punishment assessed by the jury shall be pecuniary fine only, or imprisonment in the county jail, or both fine and imprisonment, then the provision of this act shall not apply.

"Provided, that where the maximum sentence is not over four times as great as the minimum sentence, and the convict has served the minimum sentence and has a perfect prison record, or where the maximum sentence is a term of years greater than four times the minimum sentence, and the convict has served one-fourth of the maximum sentence and has a perfect prison record, he shall be paroled for the remainder of his term under such rules and regulations as may be prescribed by the Governor.

"Such parole shall be conditioned upon good behavior, or such other conditions as the Governor may see fit to insert therein, and the Governor shall be the exclusive judge of whether the conditions have been violated without judicial ascertainment. If a convict shall violate any of the conditions of such parole, he shall be returned to the State Penitentiary upon orders of the Governor, and shall serve out the remainder of his sentence without receiving the benefit of the time he was at large under such parole. Provided further, that this law is not intended, nor shall it interfere in any way with the pardoning power of the Governor under the Constitution. The provisions of this act shall apply to all convicts now serving indeterminate sentences in the penitentiary, as well as to those who may hereafter be sentenced to confinement in the penitentiary for an indeterminate term.

"If any section, subsection, sentence, clause or phrase of this act is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act. The Legislature

hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, sub-sections, sentences, clauses or phrases are declared unconstitutional."

The amendment was adopted.

Mr. Burmeister offered the following amendment to the bill:

Amend caption of House bill No. 452 by striking out all above enacting clause and inserting the following:

"A bill to be entitled 'An Act to amend Section 1 of Chapter 5 of the General Laws of the First Called Session of the Thirty-third Legislature relating to indeterminate sentences, for the purpose of this amendment being to provide for the parole of convicts under indeterminate sentence upon certain conditions, and providing that this act shall apply to convicts now serving indeterminate sentences in the penitentiary as well as those who shall hereafter be sentenced to indeterminate terms of imprisonment in the penitentiary.'"

The amendment was adopted.

House bill No. 452 was then passed to engrossment.

#### HOUSE BILL NO. 452 ON THIRD READING.

Mr. Burmeister moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 452 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Collins.
Abney.	Covey.
Amsler.	Cowen.
Arnold.	Davis.
Avis.	DeBerry.
Baker of Milam.	Dielmann.
Barker.	Dodd.
Barrett.	Downs.
Beasley.	Duffey.
Bell.	Dunlap.
Bird.	Dunn.
Bonham.	Durham.
Bryant.	Edwards.
Burmeister.	Fields.
Cable.	Finlay.
Carpenter	Gipson.
of Matagorda.	Greer.
Carson.	Hardin of Erath.
Carter of Coke.	Hardin
Carter of Hays.	of Kaufman.
Coffee.	Harrington.

Harris.	Perdue.
Henderson	Pinkston.
of Marion.	Pool.
Henderson	Pope.
of McLennan.	Potter.
Hendricks.	Price.
Howeth.	Purl.
Jacks.	Quinn.
Jennings.	Rice.
Jones.	Robinson.
Lackey.	Rogers.
Lamb.	Rowland.
Lane.	Russell
LeMaster.	of Callahan.
LeSturgeon.	Russell of Trinity.
Lewis.	Sackett.
McBride.	Sanford.
McDaniel.	Satterwhite.
McDonald.	Shearer.
McFarlane.	Simpson.
McNatt.	Sparkman.
Martin.	Stevens.
Maxwell.	Stewart of Reeves.
Melson.	Stroder.
Merritt.	Thrasher.
Miller.	Turner.
Montgomery.	Wells.
Moore.	Westbrook.
Morgan	Wilmans.
of Liberty.	Wilson.
Morgan	Winfree.
of Robertson.	Young.
Patterson.	

Nays—2.

Atkinson. Wessels.

Absent.

Baker of Orange.	Looney.
Blount.	McKean.
Bobbitt.	Mathes.
Carpenter	Merriman.
of Dallas.	Pate.
Crawford.	Patman.
Culp.	Quaid.
Davenport.	Rountree.
Driggers.	Shires.
Faubion.	Smith.
Fugler.	Stewart
Green.	of Edwards.
Houston.	Stewart of Jasper.
Hughes.	Storey.
Hull.	Sweet.
Irwin.	Teer.
Johnson.	Thompson.
Kemble.	Vaughan.
Laird.	Wallace.
Loftin.	Williamson.

Absent—Excused.

Baldwin.	Lusk.
Brady.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.
Frnka.	

The Speaker then laid House bill No. 452 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	LeMaster.
Abney.	LeStourgeon.
Amsler.	Lewis.
Arnold.	McBride.
Avis.	McDaniel.
Baker of Milam.	McFarlane.
Barker.	McNatt.
Barrett.	Martin.
Beasley.	Maxwell.
Bell.	Melson.
Bird.	Merritt.
Blount.	Miller.
Bonham.	Montgomery.
Bryant.	Moore.
Burmeister.	Morgan
Cable.	of Liberty.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Patterson.
Carter of Coke.	Perdue.
Carter of Hays.	Pinkston.
Coffee.	Pool.
Collins.	Pope.
Covey.	Potter.
Cowen.	Price.
Davis.	Purl.
DeBerry.	Quaid.
Dielmann.	Quinn.
Dodd.	Rice.
Downs.	Robinson.
Duffey.	Rogers.
Dunlap.	Rowland.
Dunn.	Russell
Durham.	of Callahan.
Fields.	Russell of Trinity.
Finlay.	Sackett.
Fugler.	Sanford.
Gipson.	Satterwhite.
Greer.	Simpson.
Hardin of Erath.	Sparkman.
Harrington.	Stevens.
Harris.	Stewart of Reeves.
Henderson	Storey.
of Marion.	Stroder.
Henderson	Thrasher.
of McLennan.	Turner.
Hendricks.	Wallace.
Howeth.	Wells.
Jacks.	Westbrook.
Jennings.	Wilmans.
Jones.	Wilson.
Lackey.	Winfree.
Lamb.	Young.
Lane.	

Nays—3.

Atkinson.	Wessels.
McDonald.	

Absent.

Baker of Orange.	Loftin.
Bobbitt.	Looney.
Carpenter	McKean.
of Dallas.	Mathes.
Crawford.	Merriman.
Culp.	Pate.
Davenport.	Patman.
Driggers.	Rountree.
Edwards.	Shearer.
Faubion.	Shires.
Green.	Smith.
Hardin	Stewart
of Kaufman.	of Edwards.
Houston.	Stewart of Jasper.
Hughes.	Sweet.
Hull.	Teer.
Irwin.	Thompson.
Johnson.	Vaughan.
Kemble.	Williamson.
Laird.	

Absent—Excused.

Baldwin.	Lusk.
Brady.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.
Frnka.	

Mr. Burmeister moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### MOTION FOR SPECIAL ORDER.

Mr. Satterwhite moved that House joint resolution No. 26 be set as a special order of business for 11 o'clock a. m. next Tuesday.

The motion was lost.

#### SPECIAL ORDER SET.

On motion of Mr. Bonham, House bill No. 40 was set as a special order for 4 o'clock p. m. today.

#### RELATING TO RULE OF HOUSE.

Mr. Fugler offered the following resolution:

Whereas, The Regular Session of the Thirty-eighth Legislature is drawing near to a close; and

Whereas, There are many important measures now pending before this body for consideration; and

Whereas, Much time is consumed in long drawn-out speeches, thereby preventing many important questions from receiving proper consideration; therefore be it

Resolved, That Section 6 of Rule 10 of the Rules of the House of Representa-



tives be so amended as to hereafter read as follows:

"All speeches shall be limited to ten minutes in duration except as provided in Section 3 of this rule, and the Speaker shall call the members to order at the expiration of their time; provided, however, that in case the House by a vote extends the time of any member, such time shall not be extended exceeding ten minutes additional without the unanimous consent of the House, and provided further, that during the last ten days of the Regular Session and the last five days of any Special Session, all speeches shall be limited to ten minutes and shall not be extended without the unanimous consent of the House, and in no case shall the time be extended for a longer period than five minutes. Provided, this rule shall not apply to measures carrying an appropriation in the discussion of which speeches shall be limited to fifteen minutes in duration except as provided in Section 3 of this rule."

The resolution was read second time and was referred to the Committee on Rules.

#### PROVIDING FOR COMMITTEE TO INVESTIGATE PROPOSED NORMAL COLLEGE AT DECATUR.

On motion of Mr. Greer, the regular order of business was suspended to take up for consideration at this time,

S. C. R. No. 19, Providing for committee to investigate proposed Normal College at Decatur.

Whereas, The citizens of Decatur, Texas, are willing to make a donation of property to the State, said to be reasonably worth \$150,000, to be used for a branch State Normal College in the event that the State should see fit to establish such branch college at Decatur, Texas; and

Whereas, Representations have been made to the Legislature that in view of the offers that will be made the State will be able to establish an institution at Decatur at comparatively small cost; and

Whereas, The citizens of Decatur have offered to pay all expenses of a committee to be appointed to visit said town; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Lieutenant Governor, as presiding officer of the Senate,

appoint two Senators, and the Speaker of the House of Representatives appoint three members of the House, said Senators and members of the House to constitute a committee to visit Decatur and make an investigation of the matters and things mentioned in the preamble hereof, and such other matters and facts as are pertinent to such investigation, with the view of ascertaining the feasibility as well as the wisdom and advisability of establishing such a branch normal college at Decatur, Texas, in view of the willingness of the citizens to make such donations to the State and such committee to make its report to the Legislature with its recommendations; that the Board of Regents of State Normal College be invited to accompany the visiting committee and join with it in the committee's report and recommendations, the expenses of such regents also to be borne by the citizens of Decatur, Texas.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Cable, McFarlane and Stewart of Jasper.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

S. C. R. No. 18, In memory of Judge James I. Perkins.

S. C. R. No. 20, Relating to illiteracy of Texas children.

S. B. No. 54, "An Act to authorize and empower The Beaumont and Great Northern Railroad to acquire, own, maintain and operate all that certain railroad heretofore owned and operated by the Missouri, Kansas and Texas Railway Company of Texas, which railroad begins at a point in the town of Trinity, in Trinity county, Texas, and extends thence in an easterly direction through and across the counties or parts of the counties of Trinity, Polk and Tyler, to a point in the town of Colmesneil, in Tyler county, Texas; together with the appurtenant franchise and property; and likewise to authorize the purchaser or purchasers thereof at foreclosure sale and any railroad corporation organized by such purchaser or purchasers under

the laws of the State of Texas for the purpose of acquiring said railroad and appurtenant property and franchises or any of them, and any other owner or owners thereof, to sell, grant, convey and deliver said railroad, together with all properties and franchises pertaining thereto, to said The Beaumont and Great Northern Railroad; further to authorize The Beaumont and Great Northern Railroad to amend its charter so as to have the right hereunder to extend said railroad, and to authorize The Beaumont and Great Northern Railroad to issue, register, sell and deliver its stock and mortgage bonds, additional to such stock and mortgage bonds as it has issued in respect of properties previously owned by it, to purchase and pay for said railroad to an amount not exceeding the value of said railroad and properties so acquired as ascertained and fixed by the Railroad Commission of Texas by its order or finding, dated about June 2, 1922, such stock and such mortgage bonds to be issued, executed, registered, sold and delivered in accordance with the Railroad Stock and Bond Law of Texas, and declaring an emergency."

S. B. No. 377, "An Act designating the lands acquired by the State of Texas under the provisions of Chapter 3, General Laws, passed at the First Called Session of the Thirty-fourth Legislature, as 'The Washington State Park'; providing for the creation of a commission to be known as 'The Washington State Park Commission'; charging said commission and the State Board of Control with the joint duty of preserving, protecting, improving and beautifying said park, and declaring an emergency."

#### RECESS.

Mr. Culp moved that the House recess to 2 o'clock p. m. today.

Mr. Moore moved that the House recess to 1:30 o'clock p. m. today.

The motion of Mr. Culp prevailed, and the House, accordingly at 12:05 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first

time, and referred to the appropriate committees, as follows:

Senate bill No. 261, to the Judiciary Committee.

Senate bill No. 273, to the Judiciary Committee.

Senate bill No. 317, to the Committee on Municipal and Private Corporations.

Senate bill No. 268, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 288, to the Committee on Criminal Jurisprudence.

Senate bill No. 251, to the Committee on Education.

Senate bill No. 40, to the Committee on Public Health.

Senate bill No. 21, to the Committee on Criminal Jurisprudence.

Senate bill No. 191, to the Committee on Insurance.

Senate bill No. 128, to the Committee on Common Carriers.

Senate bill No. 216, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 246, to the Committee on Education.

Senate bill No. 219, to the Committee on Criminal Jurisprudence.

Senate bill No. 237, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 247, to the Committee on Education.

Senate bill No. 248, to the Committee on Education.

Senate bill No. 249, to the Committee on Education.

Senate bill No. 207, to the Committee on Game and Fisheries.

(Mr. Pope in the chair.)

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 294.

Mr. Young called up for consideration at this time the following report:

Committee Room,  
Austin, Texas, March 3, 1923.

Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred House bill No. 294, have carefully considered the same and beg leave to report the following:

We recommend that the following amendment be adopted:

Amend House bill No. 294 by striking out all of Section 3 and insert in lieu thereof the following:

Sec. 3. The counties of Randall, Potter and Armstrong shall hereafter constitute the Forty-seventh Judicial District of Texas, and the terms of the district court shall be held therein each year, as follows:

In Randall county, first term beginning on the first Monday in January; second term beginning on the first Monday in August and each term may continue in session three weeks.

In Potter county, first term beginning on the fourth Monday in January and may continue in session ten weeks; second term beginning on the twelfth Monday after the fourth Monday in January and may continue in session ten weeks; third term beginning on the fourth Monday in August and may continue in session eight weeks; fourth term to begin on the eleventh Monday after the fourth Monday in August and may remain in session until the business is disposed of.

In Armstrong county, on the tenth Monday after the fourth Monday in January and the ninth Monday after the fourth Monday in August and may continue in session two weeks at each term.

We further recommend that the House concur in the Senate amendments in all other matters.

STRONG,  
DAVIS,  
On the part of the Senate.  
STOREY,  
YOUNG,  
MATHES,  
BRYANT,  
SATTERWHITE,  
On the part of the House.

On motion of Mr. Young, the report was adopted.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Bird, it was ordered that Senate bill No. 403 be not printed.

On motion of Mr. Faubion, it was ordered that House bills Nos. 674, 633, and 623 be not printed.

On motion of Mr. Rogers, Senate bills Nos. 269 and 270 were ordered not printed.

#### SENATE BILL NO. 222 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 222. Creating the Santa Cruz Independent School District.

The bill was read third time and was passed by the following vote:

Yeas—101.

Abney.	Lamb.
Amsler.	LeMaster.
Arnold.	Lewis.
Atkinson.	Loftin.
Avis.	McBride.
Baker of Milam.	McDaniel.
Baker of Orange.	McDonald.
Barker.	McNatt.
Barrett.	Martin.
Beasley.	Mathes.
Bell.	Maxwell.
Bird.	Melson.
Blount.	Merritt.
Bonham.	Montgomery.
Bryant.	Moore.
Burmeister.	Morgan
Carpenter	of Liberty.
of Matagorda.	Morgan
Carson.	of Robertson.
Coffee.	Pate.
Collins.	Patman.
Covey.	Patterson.
Cowen.	Perdue.
Culp.	Pinkston.
Davis.	Pope.
DeBerry.	Price.
Dodd.	Quaid.
Downs.	Quinn.
Driggers.	Rice.
Duffey.	Robinson.
Dunlap.	Rogers.
Dunn.	Rowland.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Fields.	Shearer.
Finlay.	Shires.
Gipson.	Simpson.
Green.	Smith.
Greer.	Sparkman.
Hardin of Erath.	Stevens.
Hardin	Stewart
of Kaufman.	of Edwards.
Harrington.	Stewart of Reeves.
Henderson	Storey.
of Marion.	Stroder.
Henderson	Thompson.
of McLennan.	Thrasher.
Hendricks.	Wallace.
Howeth.	Wells.
Jacks.	Westbrook.
Jennings.	Wessels.
Jones.	Wilmans.
Lackey.	Young.
Laird.	

Present—Not Voting.

Carter of Hays.

Absent.

Bobbitt.  
Cable.

Carter of Coke.  
Crawford.

Davenport.	Miller.
Dielmann.	Pool.
Fugler.	Potter.
Harris.	Purl.
Houston.	Rountree.
Hughes.	Russell
Hull.	of Callahan.
Irwin.	Satterwhite.
Johnson.	Stewart of Jasper.
Kemble.	Sweet.
Lane.	Teer.
LeStourgeon.	Turner.
Looney.	Vaughan.
McFarlane.	Williamson.
McKean.	Wilson.
Merriman.	Winfree.

Absent—Excused.

Baldwin.	Franka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## SENATE BILL NO. 346 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 346, Creating the Ennis Independent School District.

The bill was read third time and was passed by the following vote:

Yeas—106.

Abney.	Dunlap.
Amsler.	Dunn.
Arnold.	Durham.
Atkinson.	Edwards.
Baker of Milam.	Faubion.
Baker of Orange.	Fields.
Barker.	Finlay.
Barrett.	Gipson.
Bell.	Green.
Bird.	Greer.
Blount.	Hardin of Erath.
Bonham.	Hardin
Bryant.	of Kaufman.
Burmeister.	Harris.
Cable.	Henderson
Carpenter	of Marion.
of Matagorda.	Henderson
Carson.	of McLennan.
Carter of Coke.	Hendricks.
Carter of Hays.	Howeth.
Coffee.	Jacks.
Covey.	Jennings.
Cowen.	Jones.
Culp.	Lackey.
Davis.	Laird.
DeBerry.	Lamb.
Dodd.	Lane.
Downs.	LeMaster.
Driggers.	Loftin.
Duffey.	McBride.

McDaniel.	Russell
McDonald.	of Callahan.
McFarlane.	Russell of Trinity.
McNatt.	Sackett.
Martin.	Sanford.
Maxwell.	Satterwhite.
Melson.	Shearer.
Merritt.	Shires.
Montgomery.	Simpson.
Moore.	Smith.
Morgan	Sparkman.
of Liberty.	Stevens.
Morgan	Stewart
of Robertson.	of Edwards.
Pate.	Stewart of Jasper.
Patman.	Stewart of Reeves.
Patterson.	Storey.
Perdue.	Stroder.
Pinkston.	Thompson.
Pope.	Thrasher.
Price.	Wells.
Quaid.	Westbrook.
Quinn.	Wessels.
Rice.	Wilman.
Robinson.	Wilson.
Rogers.	Young.
Rowland.	

Absent.

Avis.	Looney.
Beasley.	McKean.
Bobbitt.	Mathes.
Collins.	Merriman.
Crawford.	Miller.
Davenport.	Pool.
Dielmann.	Potter.
Fugler.	Purl.
Harrington.	Rountree.
Houston.	Sweet.
Hughes.	Teer.
Hull.	Turner.
Irwin.	Vaughan.
Johnson.	Wallace.
Kemble.	Williamson.
LeStourgeon.	Winfree.
Lewis.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## SENATE BILL NO. 355 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, Senate bill No. 355, Creating the Palo Alto Independent School District.

The bill was read third time and was passed by the following vote:

Yeas—101.

Abney.	Amsler.
--------	---------

Arnold.	LeMaster.
Atkinson.	Loftin.
Baker of Milam.	McBride.
Baker of Orange.	McDaniel.
Barker.	McDonald.
Bell.	McFarlane.
Bird.	McNatt.
Blount.	Martin.
Bonham.	Maxwell.
Bryant.	Merritt.
Burmeister.	Miller.
Carpenter	Montgomery.
of Matagorda.	Moore.
Carson.	Morgan
Carter of Coke.	of Liberty.
Coffee.	Morgan
Collins.	of Robertson.
Covey.	Patterson.
Cowen.	Perdue.
Crawford.	Pinkston.
Culp.	Pope.
DeBerry.	Price.
Dodd.	Quaid.
Downs.	Quinn.
Driggers.	Rice.
Duffey.	Robinson.
Dunlap.	Rogers.
Dunn.	Rowland.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Fields.	Satterwhite.
Finlay.	Shearer.
Fugler.	Shires.
Gipson.	Smith.
Green.	Sparkman.
Greer.	Stevens.
Hardin of Erath.	Stewart
Hardin	of Edwards.
of Kaufman.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Henderson	Storey.
of Marion.	Stroder.
Henderson	Thompson.
of McLennan.	Thrasher.
Hendricks.	Wallace.
Howeth.	Wells.
Jacks.	Westbrook.
Jones.	Wessels.
Lackey.	Wilmans.
Laird.	Wilson.
Lamb.	Young.
Lane.	

Nays—1.

Davis.

Present—Not Voting.

Carter of Hays.

Absent.

Avis.	Harrington.
Barrett.	Houston.
Beasley.	Hughes.
Bobbitt.	Hull.
Cable.	Irwin.
Davenport.	Jennings.
Dielmann.	Johnson.

Kemble.	Purl.
LeSturgeon.	Rountree.
Lewis.	Russell
Looney.	of Callahan.
McKean.	Simpson.
Mathes.	Sweet.
Melson.	Teer.
Merriman.	Turner.
Pate.	Vaughan.
Patman.	Williamson.
Pool.	Winfree.
Potter.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernerberg.
Chitwood.	Strickland.
Dinkle.	

Mr. Jones moved a call of the House for the purpose of maintaining a quorum pending consideration of local bills, and the call was duly seconded.

The Speaker then directed the Door-keep to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

#### HOUSE BILL NO. 375 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 375, A bill to be entitled "An Act creating the Carbon Independent School District in Eastland county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges, duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts, and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

The bill was read third time.

Mr. Patterson offered the following amendment to the bill:

Strike out Section 1 and insert in lieu thereof the following:

Section 1. That the Carbon Independent School District is hereby created and established in Eastland county, Texas,

containing within its limits the following described territory, to-wit:

Beginning 1034 feet east of the northwest corner of the northeast quarter of Section 43, Block 2, H. & T. C. R. R. Co., lands in Eastland county, Texas;

Thence east with the N. B. L., of Sections 43, 40, 31 and 24, Block 2, H. & T. C. R. R. Co., lands to the northeast corner of said Section 24;

Thence south with the E. B. L., of Section 24 and the W. B. L., of Section 17, Block 2, H. & T. C. R. R. Co., lands 960 varas to the southwest corner of the northwest corner of said Section 17;

Thence N. 87 deg., 40' E., with center line of Section 17, Block 2 H. & T. C. R. R. Co., lands to the northeast corner of the southeast quarter of said Section 17;

Thence south with the E. B. L., of Sections 17, 18 and 19, Block 2, H. & T. C. R. R. Co., lands to the southwest corner of the north one-half of the northwest quarter of Section 6, Block 2, H. & T. C. R. R. Co., lands;

Thence east with the N. B. L., of the south one-half of the northwest quarter of Section 6, Block 2, H. & T. C. R. R., lands 950 varas;

Thence south 1440 varas to the southeast corner of the southwest quarter and the southwest corner of the southeast quarter of Section 6, Block 2, H. & T. C. R. R. Co., lands;

Thence east with the S. B. L., of Section 6, and the N. B. L., of Section 5, Block 2, H. & T. C. R. R. Co., lands 950 varas to the northeast corner of said Section 5 and the southeast corner of said Section 6;

Thence south 960 varas to the southeast corner of the northeast quarter of Section 5, Block 2, H. & T. C. R. R. Co., lands;

Thence S. 89 deg., 40' W., 950 varas to the northwest corner of the southeast quarter of Section 5, Block 2, H. & T. C. R. R. Co., lands;

Thence south to the S. B. L., of the right of way of the Texas Central R. R.;

Thence S. 60 deg., E., with S. B. L., of right of way of Texas Central R. R., 75.6 varas;

Thence south 216 varas;

Thence west 64.8 varas;

Thence south 641 varas to the S. B. L., of Section 5, Block 2, H. & T. C. R. R. Co., lands;

Thence west with the S. B. L., of Section 5, and the S. B. L., of Section 20, Block 2, H. & T. C. R. R. Co., lands,

being also the N. B. L., of Luke Bryan Survey, known as Abstract 18, to the northeast corner of the A. M. Knox 100 acre tract in the said Luke Bryan Survey;

Thence south 1111 varas;

Thence N. 88 deg., W., 508 varas;

Thence south at 50 varas the northeast corner of the Erath County School lands, known as Abstract 577, in all 1118 varas to the southeast corner of the W. W. Gilbert 150 acre tract in the E. B. L., of the said Erath County School land;

Thence west with the S. B. L., of W. W. Gilbert; Mary E. Ussery and C. B. Jordan properties to the W. B. L., of the Erath County School land, known as Abstract 577;

Thence north with the W. B. L., of Erath County School land, known as Abstract 577, 242 varas, to the southeast corner of the Hiram Walker Survey, known as Abstract 1675;

Thence S. 89 deg., W., 946 varas to the southwest corner of the Hiram Walker Survey;

Thence north 36 varas to the northwest corner of the Hiram Walker Survey on the S. B. L., of Section 35, Block 2., H. & T. C. R. R. Co., lands;

Thence west 174 varas to the southwest corner of the southeast quarter of Section 35, Block 2, H. & T. C. R. R. Co., lands;

Thence north 475 varas;

Thence south 89 deg., W., 1035 varas to the southwest corner of the north one-half of the southwest quarter of section 35, Block 2, H. & T. C. R. R. Co., lands;

Thence west 950 varas to the southwest corner of the north one-half of the southeast quarter of Section 36, Block 2, H. & T. C. R. R. Co., lands;

Thence north 475 varas;

Thence west 950 varas;

Thence north 475 varas;

Thence east 475 varas;

Thence north 475 varas;

Thence west 475 varas with the N. B. L., of Section 36 and the S. B. L. of Section 37, Block 2, H. & T. C. R. R. Co., lands to the southwest corner of said Section 37;

Thence north 950 varas with W. B. L., of Section 37 and the E. B. L. of Section 46, Block 2, H. & T. C. R. R. Co., lands;

Thence west 950 varas to the center of Section 46, Block 2, H. & T. C. R. R. Co., lands;

Thence north 950 varas to the

S. B. L., of Section 45, Block 2, H. & T. C. R. R. Co., lands;

Thence west 50 varas with the 9S. B. L., of Section 45, Block 2, H. & T. C. R. R. Co., to the southwest corner of said section 45;

Thence north 3800 varas with the W. B. L., of Sections 44 and 45 of Block 2, H. & T. C. R. R. Co., lands to the northwest corner of Section 44.

Thence east 950 varas with the N. B. L., of Section 44, and the S. B. L. of Section 43, Block 2, H. & T. C. R. R. Co., lands to the southwest corner of the southeast quarter of said section 43;

Thence north 1002 varas to the center of section 43, Block 2., H. & T. C. R. R. Co., lands;

Thence east 494.4 feet with the N. B. L., of the southeast quarter and the S. B. L., of the northeast quarter of Section 43, Block 2, H. & T. C. R. R. Co., lands;

Thence with the meanders of the road as follows:

N. 4 deg., E., 1375.8 feet;

N. 18 deg., E., 443.5 feet and

N. 14 deg., 30' E., 1071.3 feet to the place of beginning, being 1034 feet east of the northwest corner of the northeast quarter of Section 43, Block 2, H. & T. C. R. R. Co., lands in Eastland county, Texas.

The amendment was adopted.

House bill No. 375 was then passed by the following vote:

Yeas—105.

Abney.	Covey.
Amsler.	Cowen.
Arnold.	Crawford.
Atkinson.	Culp.
Baker of Milam.	Davis.
Baker of Orange.	DeBerry.
Barker.	Dodd.
Barrett.	Downs.
Bell.	Driggers.
Bird.	Duffey.
Blount.	Dunlap.
Bonham.	Dunn.
Bryant.	Durham.
Burmeister.	Edwards.
Cable.	Faubion.
Carpenter	Fields.
of Dallas.	Finlay.
Carpenter	Fugler.
of Matagorda.	Gipson.
Carson.	Green.
Carter of Coke.	Greer.
Carter of Hays.	Hardin of Erath.
Coffee.	Hardin
Collins.	of Kaufman.

Harris.  
Henderson  
of Marion.  
Henderson  
of McLennan.  
Hendricks.  
Howeth.  
Jacks.  
Jennings.  
Jones.  
Lackey.  
Laird.  
Lamb.  
Lane.  
LeMaster.  
Loftin.  
McBride.  
McDaniel.  
McDonald.  
McFarlane.  
McNatt.  
Martin.  
Maxwell.  
Melson.  
Merritt.  
Miller.  
Montgomery.  
Moore.  
Morgan  
of Liberty.  
Morgan  
of Robertson.  
Patterson.  
Perdue.

Pinkston.  
Pool.  
Price.  
Quaid.  
Quinn.  
Rice.  
Robinson.  
Rogers.  
Rowland.  
Russell  
of Callahan.  
Sackett.  
Sanford.  
Satterwhite.  
Shearer.  
Shires.  
Smith.  
Sparkman.  
Stewart  
of Edwards.  
Stewart of Jasper.  
Stewart of Reeves.  
Storey.  
Stroder.  
Thompson.  
Thrasher.  
Wallace.  
Wells.  
Westbrook.  
Wessels.  
Wilmons.  
Wilson.  
Young.

Absent.

Avis.	Merriman.
Beasley.	Pate.
Bobbitt.	Patman.
Davenport.	Pope.
Dielmann.	Potter.
Harrington.	Purl.
Houston.	Rountree.
Hughes.	Russell of Trinity.
Hull.	Simpson.
Irwin.	Stevens.
Johnson.	Sweet.
Kemble.	Teer.
LeSturgeon.	Turner.
Lewis.	Vaughan.
Looney.	Williamson.
McKean.	Winfrey.
Mathes.	

Absent—Excused.

Baldwin.	Lusk.
Brady.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.
Frnka.	

#### HOUSE BILL NO. 407 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 407, A bill to be entitled

"An Act providing for an official short-hand reporter for the County Court at Law No. 2, and County Court at Law of Harris county, Texas, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—100.

Abney.	Lane.
Amsler.	LeMaster.
Arnold.	Loftin.
Baker of Milam.	McBride.
Baker of Orange.	McDaniel.
Barker.	McDonald.
Barrett.	McFarlane.
Bell.	McNatt.
Bird.	Maxwell.
Blount.	Melson.
Bonham.	Miller.
Bryant.	Montgomery.
Burmeister.	Moore.
Cable.	Morgan
Carpenter	of Liberty.
of Matagorda.	Morgan
Carson.	of Robertson.
Carter of Coke.	Patterson.
Carter of Hays.	Perdue.
Coffee.	Pope.
Collins.	Price.
Covey.	Quaid.
Cowen.	Quinn.
Crawford.	Rice.
Culp.	Robinson.
DeBerry.	Rowland.
Dodd.	Russell
Driggers.	of Callahan.
Duffey.	Russell of Trinity.
Dunlap.	Sackett.
Dunn.	Sanford.
Durham.	Satterwhite.
Edwards.	Shearer.
Faubion.	Shires.
Fields.	Smith.
Finlay.	Sparkman.
Gipson.	Stevens.
Green.	Stewart
Greer.	of Edwards.
Hardin of Erath.	Stewart of Jasper.
Hardin	Stewart of Reeves.
of Kaufman.	Storey.
Henderson	Stroder.
of Marion.	Thompson.
Henderson	Thrasher.
of McLennan.	Wallace.
Hendricks.	Wells.
Howeth.	Westbrook.
Jacks.	Wessels.
Jennings.	Wilmans.
Jones.	Wilson.
Lackey.	Winfree.
Laird.	Young.
Lamb.	

Nays—3.

Atkinson.	Harris.
Davis.	

Present—Not Voting.

Fugler.

Absent.

Avis.	Mathes.
Beasley.	Merriman.
Bobbitt.	Merritt.
Davenport.	Pate.
Dielmann.	Patman.
Downs.	Pinkston.
Harrington.	Pool.
Houston.	Potter.
Hughes.	Purl.
Hull.	Rogers.
Irwin.	Rountree.
Johnson.	Simpson.
Kemble.	Sweet.
LeSturgeon.	Teer.
Lewis.	Turner.
Looney.	Vaughan.
McKean.	Williamson.
Martin.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

#### HOUSE BILL NO. 547 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 547, A bill to be entitled "An Act creating the Bayside Colony Independent School District in Refugio and San Patricio counties, Texas, including the present Bayside Colony Common School District No. 7 of said counties; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Bayside Colony Common School District No. 7 shall continue to act as such until their successors are elected as provided herein; providing for the assumption of any outstanding indebtedness created by the Bayside Colony Common School District No. 7, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—103.

Abney.	Arnold.
Amsler.	Atkinson.



Baker of Milam.	Lamb.
Baker of Orange.	Lane.
Barker.	LeMaster.
Barrett.	Loftin.
Beasley.	McBride.
Bell.	McDaniel.
Bird.	McDonald.
Blount.	McFarlane.
Bryant.	McNatt.
Burmeister.	Martin.
Cable.	Maxwell.
Carpenter	Melson.
of Dallas.	Merritt.
Carpenter	Miller.
of Matagorda.	Montgomery.
Carson.	Moore.
Carter of Coke.	Morgan
Carter of Hays.	of Liberty.
Coffee.	Morgan
Collins.	of Robertson.
Covey.	Perdue.
Cowen.	Pope.
Crawford.	Quaid.
Culp.	Quinn.
DeBerry.	Rice.
Dodd.	Robinson.
Downs.	Rogers.
Driggers.	Rowland.
Duffey.	Russell
Dunlap.	of Callahan.
Dunn.	Russell of Trinity.
Durham.	Sackett.
Edwards.	Sanford.
Faubion.	Shearer.
Fields.	Shires.
Finlay.	Smith.
Fugler.	Sparkman.
Gipson.	Stevens.
Green.	Stewart
Greer.	of Edwards.
Hardin of Erath.	Stewart of Jasper.
Hardin	Stewart of Reeves.
of Kaufman.	Storey.
Harris.	Stroder.
Henderson	Thompson.
of Marion.	Thrasher.
Henderson	Wallace.
of McLennan.	Wells.
Hendricks.	Westbrook.
Howeth.	Wessels.
Jacks.	Wilmans.
Jennings.	Wilson.
Jones.	Winfree.
Lackey.	Young.
Laird.	

Nays—1.

Davis.

Absent.

Avis.	Hull.
Bobbitt.	Irwin.
Bonham.	Johnson.
Davenport.	Kemble.
Dielmann.	LeSturgeon.
Harrington.	Lewis.
Houston.	Looney.
Hughes.	McKean.

Mathes.	Purl.
Merriman.	Rountree.
Pate.	Satterwhite.
Patman.	Simpson.
Patterson.	Sweet.
Pinkston.	Teer.
Pool.	Turner.
Potter.	Vaughan.
Price.	Williamson.

Absent—Excused.

Baldwin.	Lusk.
Brady.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.
Frnka.	

## HOUSE BILL NO. 588 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 588, A bill to be entitled "An Act amending Sections 1 and 5 of Chapter 31 of the Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Second Called Session, entitled 'An Act amending and revising the metes and bounds of the Raymondville Independent School District (formerly in Cameron county but now in Willacy county);' providing that all jurisdiction shall attach to officers of Willacy county instead of Cameron county."

The bill was read third time and was passed by the following vote:

Yeas—71.

Abney.	Fugler.
Amsler.	Green.
Atkinson.	Henderson
Avis.	of Marion.
Barker.	Hendricks.
Barrett.	Howeth.
Bird.	Jones.
Blount.	Lane.
Bonham.	LeMaster.
Bryant.	Loftin.
Burmeister.	McBride.
Carson.	McDonald.
Carter of Coke.	Martin.
Coffee.	Maxwell.
Covey.	Moore.
Crawford.	Morgan
Culp.	of Robertson.
Davis.	Pate.
Downs.	Patterson.
Driggers.	Perdue.
Duffey.	Pope.
Dunlap.	Price.
Durham.	Quaid.
Edwards.	Rice.
Faubion.	Robinson.
Finlay.	Rowland.

Russell of Callahan.	Stewart of Jasper.
Sackett.	Stewart of Reeves.
Sanford.	Storey.
Satterwhite.	Thompson.
Shearer.	Wallace.
Smith.	Wells.
Sparkman.	Westbrook.
Stevens.	Wilmans.
Stewart	Wilson.
of Edwards.	Young.

Nays—31.

Arnold.	Lackey.
Baker of Milam.	Lamb.
Baker of Orange.	McDaniel.
Cable.	McFarlane.
Carpenter	Merritt.
of Matagorda.	Morgan
Carter of Hays.	of Liberty.
Collins.	Pinkston.
Cowen.	Quinn.
Dodd.	Rogers.
Fields.	Russell of Trinity.
Gipson.	Shires.
Greer.	Stroder.
Hardin of Erath.	Thrasher.
Harris.	Wessels.
Jacks.	Winfree.
Jennings.	

Present—Not Voting.

DeBerry.	McNatt.
Dunn.	Simpson.
Henderson	
of McLennan.	

Absent.

Beasley.	McKean.
Bell.	Mathes.
Bobbitt.	Melson.
Davenport.	Merriman.
Dielmann.	Miller.
Hardin	Montgomery.
of Kaufman.	Patman.
Harrington.	Pool.
Houston.	Potter.
Hughes.	Purl.
Hull.	Rountree.
Irwin.	Sweet.
Johnson.	Teer.
Kemble.	Turner.
LeSturgeon.	Vaughan.
Lewis.	Williamson.
Looney.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

HOUSE BILL NO. 616 ON THIRD  
READINGG.

The Speaker laid before the House,  
on its third reading and final passage.

H. B. No. 616, A bill to be entitled  
"An Act creating the Union Hill Inde-  
pendent School District in Swisher  
county, Texas; defining its boundaries;  
providing for a board of trustees in said  
district; conferring upon said district  
and its board of trustees all the rights,  
powers, privileges and duties now con-  
ferred and imposed by the general laws  
of Texas upon independent school dis-  
tricts and the election of its first board  
of trustees and their successors; provid-  
ing for the appointment of a board of  
equalization, and tax assessor and col-  
lector for said district, and declaring  
an emergency."

The bill was read third time and was  
passed by the following vote:

Yeas—104.

Abney.	Henderson
Amsler.	of McLennan.
Arnold.	Hendricks.
Atkinson.	Howeth.
Avis.	Jacks.
Baker of Milam.	Jennings.
Baker of Orange.	Johnson.
Barker.	Lackey.
Barrett.	Laird.
Bird.	Lamb.
Blount.	Lane.
Bonham.	LeMaster.
Bryant.	McBride.
Burmeister.	McDaniel.
Cable.	McDonald.
Carpenter	McFarlane.
of Matagorda.	McNatt.
Carson.	Martin.
Carter of Coke.	Maxwell.
Carter of Hays.	Melson.
Coffee.	Merritt.
Collins.	Moore.
Covey.	Morgan
Crawford.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dodd.	Pate.
Downs.	Patterson.
Driggers.	Perdue.
Duffey.	Pinkston.
Dunlap.	Pool.
Dunn.	Quaid.
Durham.	Quinn.
Edwards.	Rice.
Faubion.	Robinson.
Fields.	Rogers.
Finlay.	Rowland.
Fugler.	Russell
Green.	of Callahan.
Greer.	Russell of Trinity.
Hardin of Erath.	Sackett.
Hardin	Sanford.
of Kaufman.	Satterwhite.
Harris.	Shearer.
Henderson	Shires.
of Marion.	Simpson.

Smith.	Thrasher.
Sparkman.	Wallace.
Stevens.	Wells.
Stewart	Westbrook.
of Edwards.	Wessels.
Stewart of Jasper.	Wilmons.
Stewart of Reeves.	Wilson.
Storey.	Winfree.
Stroder.	Young.
Thompson.	

Absent.

Beasley.	Looney.
Bell.	McKean.
Bobbitt.	Mathes.
Cowen.	Merriman.
Culp.	Miller.
Davenport.	Montgomery.
Dielmann.	Patman.
Gipson.	Pope.
Harrington.	Potter.
Houston.	Price.
Hughes.	Purl.
Hull.	Rountree.
Irwin.	Sweet.
Jones.	Teer.
Kemble.	Turner.
LeSturgeon.	Vaughan.
Lewis.	Williamson.
Loftin.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

HOUSE BILL NO. 631 ON THIRD  
READING.

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 631, A bill to be entitled  
"An Act to regulate the killing of deer  
in the counties of Culberson, Hudspeth  
and El Paso; defining offenses and pre-  
scribing penalties for the violation  
thereof, and declaring an emergency."

The bill was read third time and was  
passed by the following vote:

Yeas—101.

Amsler.	Carpenter
Arnold.	of Matagorda.
Avis.	Carson.
Baker of Milam.	Carter of Coke.
Baker of Orange.	Carter of Hays.
Barrett.	Coffee.
Bird.	Collins.
Blount.	Cowen.
Bonham.	Crawford.
Bryant.	Culp.
Burmeister.	Davis.
Cable.	DeBerry.

Dodd.	Montgomery.
Downs.	Moore.
Driggers.	Morgan
Duffey.	of Liberty.
Dunlap.	Morgan
Dunn.	of Robertson.
Durham.	Pate.
Edwards.	Perdue.
Faubion.	Pinkston.
Fields.	Pool.
Finlay.	Pope.
Fugler.	Price.
Gipson.	Quaid.
Green.	Rice.
Greer.	Rogers.
Hardin	Russell
of Kaufman.	of Callahan.
Harris.	Russell of Trinity.
Henderson	Sackett.
of Marion.	Sanford.
Henderson	Satterwhite.
of McLennan.	Shearer.
Hendricks.	Shires.
Howeth.	Simpson.
Jacks.	Sparkman.
Jennings.	Stevens.
Jones.	Stewart
Lackey.	of Edwards.
Laird.	Stewart of Jasper.
Lamb.	Stewart of Reeves.
Lane.	Storey.
LeMaster.	Stroder.
Loftin.	Thompson.
McBride.	Thrasher.
McDaniel.	Wallace.
McDonald.	Wells.
McFarlane.	Westbrook.
McNatt.	Wessels.
Martin.	Wilmons.
Maxwell.	Wilson.
Melson.	Winfree.
Merritt.	Young.

Nays—2.

Abney.
Rowland.

Smith.

Absent.

Atkinson.	Looney.
Barker.	McKean.
Beasley.	Mathes.
Bell.	Merriman.
Bobbitt.	Miller.
Covey.	Patman.
Davenport.	Patterson.
Dielmann.	Potter.
Hardin of Erath.	Purl.
Harrington.	Quinn.
Houston.	Robinson.
Hughes.	Rountree.
Hull.	Sweet.
Irwin.	Teer.
Johnson.	Turner.
Kemble.	Vaughan.
LeSturgeon.	Williamson.
Lewis.	

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## HOUSE BILL NO. 632 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 632, A bill to be entitled "An Act to regulate the killing of deer in the counties of Reeves, Pecos, Jeff Davis; defining offenses and prescribing penalties for the violation thereof, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 634 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 634, A bill to be entitled "An Act to regulate the killing of deer in the counties of Terrell, Val Verde and Kinney; defining offenses and prescribing penalties for the violation thereof, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 635 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 635, A bill to be entitled "An Act to regulate the killing of deer in the counties of Uvalde, Medina, Zavala and Dimmit; defining offenses and prescribing for the violation thereof, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 643 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 643, A bill to be entitled "An Act creating the Brownsboro Independent School District in Henderson county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties and liabilities now conferred and imposed by the general laws of Texas

upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

The bill was read third time and was passed by the following vote:

## Yeas—105.

Abney.	Lane.
Amsler.	LeMaster.
Arnold.	Loftin.
Atkinson.	McBride.
Baker of Milam.	McDaniel.
Baker of Orange.	McDonald.
Barker.	McFarlane.
Barrett.	McNatt.
Bird.	Martin.
Blount.	Maxwell.
Bonham.	Melson.
Bryant.	Merritt.
Burmeister.	Montgomery.
Cable.	Moore.
Carpenter	Morgan
of Matagorda.	of Liberty.
Carson.	Morgan
Carter of Coke.	of Robertson.
Carter of Hays.	Pate.
Coffee.	Patterson.
Collins.	Perdue.
Covey.	Pinkston.
Crawford.	Pool.
Culp.	Pope.
Davis.	Price.
DeBerry.	Quaid.
Dodd.	Quinn.
Downs.	Rice.
Driggers.	Robinson.
Duffey.	Rogers.
Dunn.	Rowland.
Durham.	Russell
Edwards.	of Callahan.
Faubion.	Russell of Trinity.
Fields.	Sackett.
Finlay.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shearer.
Green.	Shires.
Greer.	Simpson.
Hardin of Erath.	Smith.
Hardin	Sparkman.
of Kaufman.	Stevens.
Harris.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of McLennan.	Stroder.
Irwin.	Thompson.
Jacks.	Thrasher.
Jennings.	Wallace.
Jones.	Wells.
Lackey.	Westbrook.
Laird	Wessels.
Lamb.	Wilmans.

Wilson.	Young.
Winfree.	Absent.
Avis.	Lewis.
Beasley.	Looney.
Bell.	McKean.
Bobbitt.	Mathes.
Cowen.	Merriman.
Davenport.	Miller.
Dielmann.	Patman.
Dunlap.	Potter.
Harrington.	Purl.
Hendricks.	Rountree.
Houston.	Storey.
Howeth.	Sweet.
Hughes.	Teer.
Hull.	Turner.
Johnson.	Vaughan.
Kemble.	Williamson.
LeSturgeon.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

#### HOUSE BILL NO. 644 ON THIRD READING.

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 644, A bill to be entitled  
"An Act correcting the boundaries of the  
present Hale Center Independent School  
District; providing for payment of bonds  
issued by the present district, and de-  
claring an emergency."

The bill was read third time and was  
passed by the following vote:

Yeas—101.

Abney.	Culp.
Amsler.	Davis.
Arnold.	DeBerry.
Atkinson.	Dodd.
Baker of Milam.	Downs.
Baker of Orange.	Driggers.
Barker.	Duffey.
Barrett.	Dunlap.
Bird.	Dunn.
Blount.	Durham.
Bonham.	Edwards.
Bryant.	Finlay.
Burmeister.	Fugler.
Cable.	Gipson.
Carpenter	Green.
of Matagorda.	Greer.
Carson.	Hardin of Erath.
Carter of Coke.	Hardin
Carter of Hays.	of Kaufman.
Collins.	Harris.
Covey.	Henderson
Crawford.	of Marion.

Henderson	Pope.
of McLennan.	Price.
Hendricks.	Quinn.
Howeth.	Rice.
Irwin.	Robinson.
Jacks.	Rogers.
Jennings.	Rowland.
Jones.	Russell
Lackey.	of Callahan.
Laird.	Russell of Trinity.
Lamb.	Sackett.
Lane.	Sanford.
LeMaster.	Satterwhite.
Loftin.	Shearer.
McBride.	Shires.
McDaniel.	Simpson.
McDonald.	Sparkman.
McFarlane.	Stevens.
McNatt.	Stewart of Jasper.
Martin.	Stewart of Reeves.
Maxwell.	Storey.
Melson.	Stroder.
Merritt.	Thompson.
Montgomery.	Thrasher.
Moore.	Wallace.
Morgan	Wells.
of Robertson.	Westbrook.
Pate.	Wilmans.
Patterson.	Wilson.
Perdue.	Winfree.
Pinkston.	Young.

Nays—1.

Coffee.

Absent.

Avis.	Merriman.
Beasley.	Miller.
Bell.	Morgan
Bobbitt.	of Liberty.
Cowen.	Patman.
Davenport.	Pool.
Dielmann.	Potter.
Faubion.	Purl.
Fields.	Quaid.
Harrington.	Rountree.
Houston.	Smith.
Hughes.	Stewart
Hull.	of Edwards.
Johnson.	Sweet.
Kemble.	Teer.
LeSturgeon.	Turner.
Lewis.	Vaughan.
Looney.	Wessels.
McKean.	Williamson.
Mathes.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter of Dallas.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.

#### HOUSE BILL NO. 649 ON THIRD READING.

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 649, A bill to be entitled "An Act amending Section 2 of Senate bill No. 25, Chapter 1 of the Special Laws of the State of Texas, passed at the First Called Session of the Thirty-seventh Legislature in 1921, and providing for that portion of the land hereby segregated from the Bowie Independent School District to bear its proportionate part of any bonded indebtedness now chargeable against that portion of the district hereby segregated and adding Section 2a and Section 2b."

The bill was read third time.

On motion of Mr. Cable, the bill was laid on the table subject to call.

#### HOUSE BILL NO. 651 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 651, A bill to be entitled "An Act to create the Denson Independent School District in Williamson county, Texas, including the present Denson School District of said county, providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights and powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Denson School District shall continue to act as such until their successors are elected and qualified in accordance with the general laws of Texas, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—106.

Abney.	Collins.
Amsler.	Covey.
Arnold.	Crawford.
Atkinson.	Culp.
Avis.	Davis.
Baker of Milam.	DeBerry.
Baker of Orange.	Dodd.
Barker.	Downs.
Barrett.	Driggers.
Bell.	Duffey.
Bird.	Dunlap.
Blount.	Dunn.
Bonham.	Durham.
Bryant.	Edwards.
Cable.	Faubion.
Carpenter	Fields.
of Matagorda.	Finlay.
Carson.	Fugler.
Carter of Coke.	Gipson.
Carter of Hays.	Green.
Coffee.	Greer.

Hardin of Erath.	Pinkston.
Harris.	Pool.
Henderson	Pope.
of Marion.	Price.
Henderson	Quinn.
of McLennan.	Rice.
Hendricks.	Robinson.
Howeth.	Rogers.
Irwin.	Rowland.
Jacks.	Russell of Trinity.
Jennings.	Sackett.
Jones.	Sanford.
Lackey.	Satterwhite.
Laird.	Shearer.
Lane.	Shires.
LeMaster.	Simpson.
Loftin.	Smith.
McBride.	Sparkman.
McDaniel.	Stewart
McDonald.	of Edwards.
McFarlane.	Stewart of Jasper.
McNatt.	Stewart of Reeves.
Martin.	Storey.
Maxwell.	Stroder.
Melson.	Thompson.
Merritt.	Thrasher.
Montgomery.	Wallace.
Moore.	Wells.
Morgan	Westbrook.
of Liberty.	Wessels.
Morgan	Wilmans.
of Robertson.	Wilson.
Pate.	Winfree.
Patterson.	Young.
Perdue.	

Absent.

Beasley.	McKean.
Bobbitt.	Mathes.
Burmeister.	Merriman.
Cowen.	Miller.
Davenport.	Patman.
Dielmann.	Potter.
Hardin	Purl.
of Kaufman.	Quain.
Harrington.	Rountree.
Houston.	Russell
Hughes.	of Callahan.
Hull.	Stevens.
Johnson.	Sweet.
Kemble.	Teer.
Lamb.	Turner.
LeSturgeon.	Vaughan.
Lewis.	Williamson.
Looney.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

#### HOUSE BILL NO. 660 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 660, A bill to be entitled "An Act creating and incorporating Lakeview Independent School District in Dawson county, Texas, out of territory now comprising Lakeview Common School District No. 25; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Lakeview Independent School District shall assume and discharge any and all bonds and other indebtedness constituting valid and binding obligations of said Lakeview Common School District No. 25 of Dawson county; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions hereof, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—107.

Abney.	Covey.
Amsler.	Cowen.
Arnold.	Crawford.
Atkinson.	Culp.
Avis.	Davis.
Baker of Milam.	DeBerry.
Baker of Orange.	Dodd.
Barker.	Downs.
Barrett.	Driggers.
Bell.	Duffey.
Bird.	Dunlap.
Blount.	Dunn.
Bonham.	Edwards.
Bryant.	Faubion.
Cable.	Finlay.
Carpenter	Fugler.
of Matagorda.	Gipson.
Carter of Coke.	Green.
Carter of Hays.	Greer.
Coffee.	Hardin of Erath.
Collins.	Harris.

Henderson	Pinkston.
of Marion.	Pool.
Henderson	Pope.
of McLennan.	Price.
Hendricks.	Quinn.
Howeth.	Rice.
Irwin.	Robinson.
Jacks.	Rogers.
Jennings.	Rowland.
Jones.	Russell of Trinity.
Lackey.	Sackett.
Laird.	Sanford.
Lamb.	Satterwhite.
Lane.	Shearer.
LeMaster.	Shires.
Loftin.	Simpson.
McBride.	Smith.
McDaniel.	Sparkman.
McDonald.	Stevens.
McFarlane.	Stewart
McNatt.	of Edwards.
Martin.	Stewart of Jasper.
Maxwell.	Stewart of Reeves.
Melson.	Storey.
Merritt.	Stroder.
Montgomery.	Thompson.
Moore.	Thrasher.
Morgan	Wallace.
of Liberty.	Wells.
Morgan	Westbrook.
of Robertson.	Wessels.
Pate.	Wilmans.
Patman.	Wilson.
Patterson.	Winfree.
Perdue.	Young.

Absent.

Beasley.	Lewis.
Bobbitt.	Looney.
Burmeister.	McKean.
Carson.	Mathes.
Davenport.	Merriman.
Dielmann.	Miller.
Durham.	Potter.
Fields.	Purl.
Hardin	Quaid.
of Kaufman.	Rountree.
Harrington.	Russell
Houston.	of Callahan.
Hughes.	Sweet.
Hull.	Teer.
Johnson.	Turner.
Kemble.	Vaughan.
LeSturgeon.	Williamson.

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

#### HOUSE BILL NO. 652 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 652, A bill to be entitled "An Act to create the Knox City Independent School District in Knox county, Texas, including the present Knox City District of said county, providing for a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Knox City District shall continue to act as such until their successors are elected in accordance with the general laws of Texas, providing for the extension of the boundaries of said district, and declaring an emergency."

The bill was read third time and was passed by the following vote:

## Yeas—105.

Abney.	Harris.
Amsler.	Henderson
Arnold.	of Marion.
Atkinson.	Henderson
Avis.	of McLennan.
Baker of Milam.	Hendricks.
Baker of Orange.	Howeth.
Barker.	Irwin.
Barrett.	Jacks.
Bell.	Jennings.
Bird.	Jones.
Blount.	Lackey.
Bonham.	Laird.
Bryant.	Lamb.
Burmeister.	Lane.
Cable.	McBride.
Carpenter	McDaniel.
of Matagorda.	McDonald.
Carson.	McFarlane.
Carter of Coke.	McNatt.
Carter of Hays.	Martin.
Collins.	Maxwell.
Covey.	Melson.
Cowen.	Merritt.
Crawford.	Montgomery.
Culp.	Moore.
Davis.	Morgan
DeBerry.	of Liberty.
Dodd.	Morgan
Downs.	of Robertson.
Driggers.	Pate.
Duffey.	Patman.
Dunlap.	Patterson.
Dunn.	Perdue.
Edwards.	Pinkston.
Faubion.	Pool.
Finlay.	Pope.
Fugler.	Price.
Gipson.	Quinn.
Green.	Rice.
Greer.	Robinson.
Hardin of Erath.	Rogers.

Rowland.	Stewart of Reeves.
Russell of Trinity.	Storey.
Sackett.	Stroder.
Sanford.	Thompson.
Satterwhite.	Thrasher.
Shearer.	Wallace.
Shires.	Wells.
Smith.	Westbrook.
Sparkman.	Wessels.
Stevens.	Wilmans.
Stewart	Wilson.
of Edwards.	Winfree.
Stewart of Jasper.	Young.

Nays—1.

LeMaster.

Absent.

Beasley.	Looney.
Bobbitt.	McKean.
Coffee.	Mathes.
Davenport.	Merriman.
Dielmann.	Miller.
Durham.	Potter.
Fields.	Purl.
Hardin	Quaid.
of Kaufman.	Rountree.
Harrington.	Russell
Houston.	of Callahan.
Hughes.	Simpson.
Hull.	Sweet.
Johnson.	Teer.
Kemble.	Turner.
LeSturgeon.	Vaughan.
Lewis.	Williamson.
Loftin.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

# SENATE BILL NO. 403 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 403, A bill to be entitled "An Act validating Midway Common School District No. 44 of Johnson county, Texas, as the same is described in the order of the county board of trustees of Johnson county, dated June 3, 1922; validating an election for school house and equipment bonds in the sum of \$3000, held on July 3, 1922, together with all orders of the commissioners court of Johnson county, pursuant to said election and in respect to said bonds; also validating all levies of taxes made by the same commissioners court



for the purpose of providing interest and sinking fund for said bonds; authorizing the Attorney General to approve said bonds; defining the powers of the county school trustees of Johnson county in respect to said district, and declaring an emergency."

The bill was read second time and was passed to third reading.

### SENATE BILL NO. 403 ON THIRD READING.

Mr. Howeth, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 403 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Abney.	Henderson
Amsler.	of McLennan.
Arnold.	Hendricks.
Atkinson.	Howeth.
Avis.	Irwin.
Baker of Milam.	Jacks.
Baker of Orange.	Jennings.
Barker.	Jones.
Barrett.	Lackey.
Bell.	Laird.
Bird.	Lamb.
Blount.	Lane.
Bonham.	LeMaster.
Bryant.	McBride.
Burmeister.	McDaniel.
Cable.	McDonald.
Carpenter	McFarlane.
of Matagorda.	McNatt.
Carson.	Martin.
Carter of Coke.	Maxwell.
Carter of Hays.	Melson.
Collins.	Merritt.
Covey.	Montgomery.
Cowen.	Moore.
Crawford.	Morgan
Culp.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dodd.	Pate.
Driggers.	Patterson.
Duffey.	Perdue.
Dunlap.	Pinkston.
Dunn.	Pool.
Edwards.	Pope.
Fields.	Price.
Finlay.	Quinn.
Fugler.	Rice.
Gipson.	Robinson.
Green.	Rogers.
Greer.	Rowland.
Hardin of Erath.	Russell
Henderson	of Callahan.
of Marion.	Russell of Trinity.

Sackett.	Storey.
Sanford.	Stroder.
Satterwhite.	Thompson.
Shearer.	Thrasher.
Shires.	Wallace.
Simpson.	Wells.
Smith.	Wessels.
Sparkman.	Wilmons.
Stewart	Wilson.
of Edwards.	Winfree.
Stewart of Jasper.	Young.
Stewart of Reeves.	

Absent.

Beasley.	Lewis.
Bobbitt.	Looney.
Coffee.	McKean.
Davenport.	Mathes.
Dielmann.	Merriman.
Downs.	Miller.
Durham.	Patman.
Faubion.	Potter.
Hardin	Purl.
of Kaufman.	Quaid.
Harrington.	Rountree.
Harris.	Stevens.
Houston.	Sweet.
Hughes.	Teer.
Hull.	Turner.
Johnson.	Vaughan.
Kemble.	Westbrook.
LeSturgeon.	Williamson.

Absent—Excused.

Baldwin.	Frnka.
Brady.	Loftin.
Carpenter	Lusk.
of Dallas.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.

The Speaker then laid Senate bill No. 403 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Abney.	Carson.
Amsler.	Carter of Coke.
Arnold.	Carter of Hays.
Atkinson.	Collins.
Avis.	Covey.
Baker of Milam.	Cowen.
Baker of Orange.	Crawford.
Barker.	Culp.
Barrett.	Davis.
Bell.	DeBerry.
Bird.	Dodd.
Blount.	Downs.
Bonham.	Driggers.
Bryant.	Duffey.
Burmeister.	Dunlap.
Cable.	Dunn.
Carpenter	Edwards.
of Matagorda.	Fields.

Finlay.	Perdue.
Fugler.	Pinkston.
Gipson.	Pool.
Green.	Pope.
Greer.	Price.
Hardin of Erath.	Quinn.
Harris.	Rice.
Henderson	Robinson.
of Marion.	Rowland.
Henderson	Russell
of McLennan.	of Callahan.
Hendricks.	Russell of Trinity.
Howeth.	Sackett.
Irwin.	Sanford.
Jacks.	Satterwhite.
Jennings.	Shearer.
Jones.	Shires.
Lackey.	Simpson.
Laird.	Smith.
Lamb.	Sparkman.
Lane.	Stevens.
LeMaster.	Stewart
McBride.	of Edwards.
McDaniel.	Stewart of Jasper.
McDonald.	Stewart of Reeves.
McFarlane.	Storey.
McNatt.	Stroder.
Martin.	Thompson.
Maxwell.	Thrasher.
Merritt.	Wallace.
Montgomery.	Wells.
Moore.	Westbrook.
Morgan	Wessels.
of Liberty.	Wilmans.
Morgan	Wilson.
of Robertson.	Winfree.
Pate.	Young.
Patterson.	

Absent.

Beasley.	Looney.
Bobbitt.	McKean.
Coffee.	Mathes.
Davenport.	Melson.
Dielmann.	Merriman.
Durham.	Miller.
Faubion.	Patman.
Hardin	Potter.
of Kaufman.	Purl.
Harrington.	Quaid.
Houston.	Rogers.
Hughes.	Rountree.
Hull.	Sweet.
Johnson.	Teer.
Kemble.	Turner.
LeSturgeon.	Vaughan.
Lewis.	Williamson.
Loftin.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## HOUSE BILL NO. 657 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 657, A bill to be entitled "An Act to amend Chapter 92 of the Special Laws of the Regular Session of the Thirty-sixth Legislature, known as an act to create a more efficient road system for Angelina county, by re-enacting Section 8 and adding thereto a new section to be known as Section 8a, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 657 ON THIRD READING.

Mr. Laird, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 657 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Abney.	Edwards.
Amsler.	Faubion.
Arnold.	Fields.
Atkinson.	Finlay.
Avis.	Frnka.
Baker of Milam.	Fugler.
Baker of Orange.	Gipson.
Barker.	Greer.
Barrett.	Hardin of Erath.
Bell.	Harris.
Bird.	Henderson
Blount.	of McLennan.
Bonham.	Hendricks.
Bryant.	Howeth.
Burmeister.	Irwin.
Cable.	Jacks.
Carpenter	Jennings.
of Matagorda.	Jones.
Carson.	Lackey.
Carter of Coke.	Laird.
Carter of Hays.	Lamb.
Collins.	Lane.
Covey.	LeMaster.
Cowen.	Loftin.
Crawford.	McBride.
Davis.	McDaniel.
DeBerry.	McDonald.
Dodd.	McFarlane.
Downs.	McNatt.
Driggers.	Martin.
Duffey.	Maxwell.
Dunlap.	Merritt.
Dunn.	Montgomery.
Durham.	Moore.

Morgan of Liberty.	Sanford.
Morgan of Robertson.	Satterwhite.
Pate.	Shearer.
Patman.	Shires.
Patterson.	Simpson.
Perdue.	Sparkman.
Pinkston.	Stewart
Pool.	of Edwards.
Pope.	Stewart of Jasper.
Price.	Storey.
Quinn.	Stroder.
Rice.	Thompson.
Robinson.	Thrasher.
Rogers.	Wells.
Rowland.	Westbrook.
Russell	Wessels.
of Callahan.	Wilmans.
Russell of Trinity.	Wilson.
	Winfree.
	Young.

Nays—2.

Green. Sackett.

Absent.

Beasley.	McKean.
Bobbitt.	Mathes.
Coffee.	Melson.
Culp.	Merriman.
Davenport.	Miller.
Dielmann.	Potter.
Hardin	Purl.
of Kaufman.	Quaid.
Harrington.	Rountree.
Henderson	Smith.
of Marion.	Stevens.
Houston.	Stewart of Reeves.
Hughes.	Sweet.
Hull.	Teer.
Johnson.	Turner.
Kemble.	Vaughan.
LeSturgeon.	Wallace.
Lewis.	Williamson
Looney.	

Absent—Excused.

Baldwin.	Dinkle.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.

The Speaker then laid House bill No. 657 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Abney.	Baker of Orange.
Amsler.	Barker.
Arnold.	Barrett.
Atkinson.	Bell.
Avis.	Blount.
Baker of Milam.	Bonham.

Bryant.	McNatt.
Burmeister.	Martin.
Cable.	Maxwell.
Carpenter	Melson.
of Matagorda.	Merritt.
Carson.	Montgomery.
Carter of Coke.	Moore.
Carter of Hays.	Morgan
Collins.	of Liberty.
Covey.	Morgan
Cowen.	of Robertson.
Crawford.	Pate.
Culp.	Patman.
Davis.	Patterson.
DeBerry.	Perdue.
Dodd.	Pinkston.
Downs.	Pool.
Driggers.	Pope.
Duffey.	Quinn.
Dunlap.	Rice.
Dunn.	Robinson.
Durham.	Rogers.
Edwards.	Rowland.
Faubion.	Russell
Fields.	of Callahan.
Finlay.	Russell of Trinity.
Fugler.	Sanford.
Gipson.	Satterwhite.
Greer.	Shearer.
Hardin of Erath.	Shires.
Harris.	Simpson.
Henderson	Smith.
of McLennan.	Sparkman.
Hendricks.	Stevens.
Howeth.	Stewart
Irwin.	of Edwards.
Jacks.	Stewart of Jasper.
Jennings.	Storey.
Jones.	Stroder.
Lackey.	Thompson.
Laird	Thrasher.
Lamb	Wallace.
Lane.	Wells.
LeMaster.	Wessels.
Loftin.	Wilmans.
McBride.	Wilson.
McDaniel.	Winfree.
McDonald.	Young.
McFarlane.	

Nays—2.

Green. Sackett.

Absent.

Beasley.	Hughes.
Bird.	Hull.
Bobbitt.	Johnson.
Coffee.	Kemble.
Davenport.	LeSturgeon.
Dielmann.	Lewis.
Hardin	Looney.
of Kaufman.	McKean.
Harrington.	Mathes.
Henderson	Merriman.
of Marion.	Miller.
Houston.	Potter.

Price.	Teer.
Purl.	Turner.
Quaid.	Vaughan.
Rountree.	Westbrook.
Stewart of Reeves.	Williamson.
Sweet.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

# HOUSE BILL NO. 663 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 663, A bill to be entitled "An Act to repeal all special laws relating to public roads of Nacogdoches county, as well as all general laws in conflict with this act, and to create by this act a more efficient road system for Nacogdoches county, Texas; to provide for the appointment of hands and laying out of road precincts; specifying those subject to road duty and the number of days they shall work upon the public roads each year; to provide for relieving citizens of road duty by payment to the county treasurer of \$5 for each road year; to encourage donation to the public roads by citizens of said county, and providing for donations to be duplicated by the county treasurer out of the road and bridge fund of said county; providing for appointment of road overseers; making the county commissioners of said county supervisors of the roads in their commissioners precinct; prescribing their duties; prescribing the mode of warning those subject to road duty under the terms of this act, and making it a misdemeanor to violate the provisions of this act, and fixing a penalty therefor, and repealing all general and special laws in conflict herewith."

The bill was read second time.

Mr. Blount offered the following amendment to the bill:

Amend House bill No. 663 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That all special road laws relating to the public roads of Nacogdoches county heretofore enacted be, and the same are, hereby in all things repealed, and that all general laws relat-

ing to public roads in conflict herewith be repealed as the same relate to the public roads of Nacogdoches county; and extending all general laws other than those in conflict herewith, and to enact in place of the laws so repealed the following laws as applicable to said county.

Sec. 2. The commissioners court of Nacogdoches county shall at its first regular term after the taking effect of this enactment divide the roads of said county into specific road precincts, designating them by number and location, and shall cause the overseers thereof hereinafter provided for, or the county commissioner of the precinct in which said roads are located to place markers specifying the number of road precincts at the termination of each road precinct as may be established by said commissioners court, and the county clerk shall carefully record in the minutes of said county the numbers and boundaries and locations of the several road precincts of said county, and shall specify in said minutes the class of each road which lies in such precinct.

Sec. 3. The commissioners court of Nacogdoches county shall at said term and thereafter at its regular February term in each year apportion the various hands subject to road duty to the various road precinct of said county, and shall at said term appoint one competent road overseer for each precinct, which overseer may be appointed from among the hands subject to road duty in said road precinct; or if said court sees fit for the more efficient working of the public roads of said county it may appoint an overseer for said precinct residing at any place within the commissioners precinct in which said road precincts are located, it being the intent of this act to place the roads and the hands under the supervision of practical road constructors.

Sec. 4. Each commissioner of said county is hereby made an ex-officio superintendent of the public roads within his commissioners precinct, and it shall be his duty to review and supervise the roads of said precinct, and to co-operate with the road overseers of his precinct in properly grading, working and draining said roads, and he is hereby created the custodian of all road machinery, tools, teams, etc., which may come under his control belonging to the county, and shall be responsible for their safekeeping and liable for the

loss or destruction thereof, unless such loss or destruction is without fault on his part; and it shall be his duty to see that the overseers and hands in said road precincts in his commissioners precinct do comply with the terms of this act.

Sec. 5. Private donations are hereby solicited to be expended upon the public roads of said county, and when a private donation is made for any road precinct in said county, the commissioners court may, in its discretion, set aside from the treasury of said county out of the road and bridge fund an equal amount to the amount donated by such private subscription, and the same, together with the private donations, shall be expended upon the road precincts designated by the donor or donors.

Sec. 6. Citizens desiring to donate funds to be expended upon the public roads of said county shall deposit same with the county treasurer of said county and take his receipt therefor; said receipt shall be written in duplicate, one copy of which shall be deposited by the treasurer with the county clerk of said county. The receipt shall show the name of the donor and shall specify by number and location the road precinct upon which said fund is to be expended.

Sec. 7. Labor performed, teams and tools furnished, and timbers and material furnished for the making of public roads are hereby declared "private donations" as the term "donation" is used in Section 5 of this act, and shall be taken into consideration by the commissioners court of said county as specified in Section 5 of this act; provided that a team and hand shall be rated at not more than three dollars per day of not less than eight hours of actual work, and not more than two dollars per day for team without hand. The term "team" shall be understood to include wagon, scraper or plow, and shall mean a team of two horses or mules. provided that a one horse plow team, plow and hand may be rated at not more than one dollar and fifty cents per day; and provided further that the commissioners court, or the road superintendent, if the office of road superintendent is created by said commissioners court for said county, shall value all materials such as lumber, timbers, etc., used in the construction of public roads, and when so valued the said commissioners court may make an appropriation out of the road and bridge fund as provided in Section 5 of this act.

Sec. 8. All male persons between the ages of twenty-one (21) years and forty-five (45) years shall be subject to road duty in said county; and they shall work upon the public roads designated by the commissioners court of said county for five days during each year; provided that such persons as are exempt under the General Statutes of the State of Texas, or make payment into the county treasury, or to the county commissioner of his precinct of the sum of five dollars in cash as is hereby provided, shall be exempt from performing the work here required upon said roads.

Sec. 9. Every person subject to road duty in Nacogdoches county under the terms hereof shall be required to work upon the public roads of said county five days in each year, provided that any person subject to road duty may relieve himself from such duty by paying to the county treasurer, or to the county commissioner of his precinct, the sum of five dollars in cash, which payment shall be made five days before the first time designated by the road overseer, or the county commissioner, for work upon said road, and which said sum if paid to the commissioner shall be by him paid into the county treasury, and shall constitute a part of the general road and bridge fund. The person so paying shall take a receipt in duplicate from the treasurer, or county commissioner, a copy of which he shall promptly file in the office of the county clerk of said county.

Sec. 10. Each road hand shall work upon the road precinct to which the commissioners court assigns him, and in case of being assigned to two roads by mistake by said court it shall be his duty to report to the commissioner of his precinct that he has been assigned to two roads, and it shall then be the duty of the commissioner in whose precinct said hand resides to strike him from one list and leave him remain on the other list of hands in his precinct.

Sec. 11. The road overseers and the county commissioner of the precinct in which their road precinct are situated shall meet at some place to be fixed by said county commissioner within twenty days after the commissioners court has designated said road precinct and appointed overseers and apportioned the hands thereto, at which meeting it shall be determined at what time the five days' work herein required shall be performed upon said roads, and said work shall proceed throughout the commis-

sioners precinct upon each road precinct on the same day as near as practicable; and the overseers in said commissioners precinct shall be subject to the call of commissioners for such purpose upon notice from the commissioner given in person or by telephone.

Sec. 12. Warning to the hands of the day so fixed by said county commissioner of said precinct and the road overseers of the road precinct therein shall be given, or caused to be given, by the road overseer to each, and for at least fifteen days prior to the date fixed by the said county commissioner and road overseers for the performance of the work herein required, and said warning shall be given in person or by telephone. If the hand so attempted to be warned is not easily accessible to said road overseer, then such warning shall be given by notifying any member of said hand's family, if any he has, sixteen (16) years of age or over, who may be reached in either of the methods herein prescribed for the giving of the warning.

Sec. 13. It shall be, and is hereby made, a misdemeanor for any hand to fail to appear at the place designated and work upon said road after receiving such warning, unless he has theretofore paid to the county treasurer, or to his county commissioner, the five dollars herein provided for, or the sum of one dollar per day for each day's work contemplated in such warning not to exceed five days; and for such violation such hand may be prosecuted in any court of competent jurisdiction, and upon conviction shall be fined in a sum of not less than ten (\$10) dollars, nor more than twenty-five (\$25) dollars, and which said fine when paid shall constitute a part of the general road and bridge fund.

Sec. 14. The commissioners court of Nacogdoches county shall not divert or transfer from the road and bridge fund any money to any other fund. The road and bridge fund, including all amounts paid in to the treasurer under this act, as well as the taxes collected under the general law for road and bridge purposes, shall be spent exclusively upon the roads and bridges of said county.

Sec. 15. In the event of an emergency the overseer or the county commissioner of his precinct may call out any hand or hands to perform work upon the road precinct to which said hands have been assigned by the commissioners court at any time other than the time fixed by the commissioner and the road

overseers; and when such hand does perform such work he shall be credited with the number of days worked upon the road at such time, so that none of the hands assigned to any given road precinct shall be required to work in excess of five days.

Sec. 16. This law shall be cumulative of all other general laws on the subject of roads and bridges not in conflict herewith, and where not otherwise provided herein such general laws shall apply; but in case of conflict with such general laws the provisions of this act shall govern.

Sec. 17. The fact that there is now no sufficient road law for Nacogdoches county, and the further fact of the near approach of the close of this session of the Legislature, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

House bill No. 663 was then passed to engrossment.

#### HOUSE BILL NO. 663 ON THIRD READING.

Mr. Blount, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 663 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Abney.	Collins.
Amsler.	Cowen.
Arnold.	Crawford.
Atkinson.	Culp.
Avis.	Davis.
Baker of Milam.	DeBerry.
Baker of Orange.	Dodd.
Barker.	Downs.
Barrett.	Driggers.
Bell.	Duffey.
Bird.	Dunlap.
Blount.	Dunn.
Bonham.	Durham.
Bryant.	Edwards.
Burmeister.	Faubion.
Cable.	Fields.
Carpenter	Finlay.
of Dallas.	Fugler.
Carpenter	Gipson.
of Matagorda.	Green.
Carson.	Greer.
Carter of Coke.	Hardin of Erath.

Harris.	Pool.
Henderson	Pope.
of Marion.	Price.
Henderson	Quaid.
of McLennan.	Quinn.
Hendricks.	Rice.
Irwin.	Robinson.
Jacks.	Rogers.
Jennings.	Rowland.
Jones.	Russell
Lackey.	of Callahan.
Laird.	Russell of Trinity.
Lamb.	Sackett.
Lane.	Sanford.
LeMaster.	Satterwhite.
Loftin.	Shearer.
McBride.	Shires.
McDaniel.	Simpson.
McDonald.	Smith.
McFarlane.	Stewart
McNatt.	of Edwards.
Martin.	Stewart of Jasper.
Maxwell.	Stewart of Reeves.
Merritt.	Storey.
Montgomery.	Stroder.
Moore.	Thompson.
Morgan	Thrasher.
of Liberty.	Wallace.
Morgan	Wells.
of Robertson.	Westbrook.
Pate.	Wessels.
Patman.	Wilman.
Patterson.	Wilson.
Perdue.	Winfree.
Pinkston.	Young.

Nays—1.

Carter of Hays.

Absent.

Beasley.	Looney.
Bobbitt.	McKean.
Coffee.	Mathes.
Covey.	Melson.
Davenport.	Merriman.
Dielmann.	Miller.
Hardin	Potter.
of Kaufman.	Purl.
Harrington.	Rountree.
Houston.	Sparkman.
Howeth.	Stevens.
Hughes.	Sweet.
Hull.	Teer.
Johnson.	Turner.
Kemble.	Vaughan.
LeSturgeon.	Williamson.
Lewis.	

Absent—Excused.

Baldwin.	Lusk.
Brady.	Stell.
Chitwood.	Stiernberg.
Dinkle.	Strickland.
Frnka.	

The Speaker then laid House bill No. Harris.

663 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—108.

Abney.	LeMaster.
Amsler.	Loftin.
Arnold.	McBride.
Atkinson.	McDaniel.
Avis.	McDonald.
Baker of Milam.	McFarlane.
Baker of Orange.	McNatt.
Barker.	Martin.
Barrett.	Maxwell.
Bell.	Montgomery.
Bird.	Moore.
Blount.	Morgan
Bonham.	of Liberty.
Bryant.	Morgan
Burmeister.	of Robertson.
Cable.	Pate.
Carpenter	Patman.
of Matagorda.	Patterson.
Carson.	Perdue.
Carter of Coke.	Pinkston.
Carter of Hays.	Pool.
Collins.	Pope.
Covey.	Price.
Cowen.	Quaid.
Crawford.	Quinn.
Culp.	Rice.
Davis.	Robinson.
DeBerry.	Rogers.
Dodd.	Rowland.
Downs	Russell
Drigger	of Callahan.
Duffey.	Russell of Trinity.
Dunlap.	Sackett.
Dunn.	Sanford.
Durham.	Satterwhite.
Edwards.	Shearer.
Faubion.	Shires.
Fields.	Simpson.
Finlay.	Smith.
Fugler.	Sparkman.
Gipson.	Stevens.
Green.	Stewart
Greer.	of Edwards.
Hardin of Erath.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of Marion.	Storey.
Henderson	Stroder.
of McLennan.	Thompson.
Hendricks.	Thrasher.
Irwin.	Wallace.
Jacks.	Wells.
Jennings.	Westbrook.
Jones.	Wessels.
Lackey.	Wilman.
Laird.	Wilson.
Lamb.	Winfree.
Lane.	Young.

Nays—1.

## Absent.

Beasley.	Looney.
Bobbitt.	McKean.
Coffee.	Mathes.
Davenport.	Melson.
Dielmann.	Merriman.
Hardin.	Merritt.
of Kaufman.	Miller.
Harrington.	Potter.
Houston.	Purl.
Howeth.	Rountree.
Hughes.	Sweet.
Hull.	Teer.
Johnson.	Turner.
Kemble.	Vaughan.
LeStourgeon.	Williamson.
Lewis.	

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

HOUSE BILL NO. 670 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 670, A bill to be entitled "An Act making provision whereby sessions of the County Court at Law No. 2 may be held at Goose Creek for the convenience of the people in Justice Precinct No. 3 in Harris county; vesting in the County Court at Law No. 2 of Harris county exclusive jurisdiction within the territory now comprising Justice Precinct No. 3 of said county as to matters and things of which said court now has jurisdiction within the county; providing for the session of said County Court at Law No. 2 in the town of Goose Creek for at least ten days of each month in said territory, and fixing the date during each month on which said sessions shall begin; making it the duty of the commissioners court of Harris county to provide a suitable place for holding said sessions; conforming the jurisdiction of other inferior courts to the change herein made; providing for the necessary clerks and officers; making the necessary provisions incident to the purpose and subject of the act; providing for the transfer of cases and proceedings, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 670 ON THIRD  
READING.

Mr. Rogers, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 670 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Abney.	Jennings.
Amsler.	Jones.
Arnold.	Lackey.
Atkinson.	Laird.
Avis.	Lamb.
Baker of Milam.	Lane.
Baker of Orange.	LeMaster.
Barker.	Loftin.
Barrett.	McBride.
Bell.	McDaniel.
Bird.	McFarlane.
Blount.	McNatt.
Bonham.	Martin.
Bryant.	Maxwell.
Burmeister.	Melson.
Cable.	Merritt.
Carpenter	Montgomery.
of Matagorda.	Moore.
Carson.	Morgan of Liberty.
Carter of Coke.	Morgan
Carter of Hays.	of Robertson.
Collins.	Pate.
Covey.	Patman.
Cowen.	Patterson.
Crawford.	Perdue.
Culp.	Pinkston.
DeBerry.	Pool.
Dodd.	Pope.
Downs.	Price.
Driggers.	Quaid.
Duffey.	Quinn.
Dunlap.	Rice.
Dunn.	Robinson.
Durham.	Rogers.
Edwards.	Rowland.
Faubion.	Russell
Fields.	of Callahan.
Finlay.	Russell of Trinity.
Fugler.	Sackett.
Gipson.	Sanford.
Green.	Satterwhite.
Greer.	Shearer.
Hardin of Erath.	Shires.
Hardin	Simpson.
of Kaufman.	Smith.
Harris.	Sparkman.
Henderson	Stevens.
of Marion.	Stewart
Henderson	of Edwards.
of McLennan.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Howeth.	Storey.
Irwin.	Stroder.
Jacks.	Thompson.



Thrasher.	Wilmans.
Wallace.	Wilson.
Wells.	Winfree.
Westbrook.	Young.
Wessels.	

Nays—1.

Davis.

Absent.

Beasley.	McDonald.
Bobbitt.	McKean.
Coffee.	Mathes.
Davenport.	Merriman.
Dielmann.	Miller.
Harrington.	Potter.
Houston.	Purl.
Hughes.	Rountree.
Hull.	Sweet.
Johnson.	Teer.
Kemble.	Turner.
LeSturgeon.	Vaughan.
Lewis.	Williamson.
Looney.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

The Speaker then laid House bill No. 670 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109.

Abney.	Downs.
Amsler.	Driggers.
Arnold.	Duffey.
Atkinson.	Dunlap.
Avis.	Dunn.
Baker of Milam.	Durham.
Baker of Orange.	Edwards.
Barker.	Faubion.
Barrett.	Fields.
Bell.	Finlay.
Bird.	Fugler.
Blount.	Gipson.
Bonham.	Green.
Bryant.	Greer.
Burmeister.	Hardin of Erath.
Cable.	Hardin
Carpenter	of Kaufman.
of Matagorda.	Harris.
Carson.	Henderson
Carter of Coke.	of Marion.
Carter of Hays.	Henderson
Collins.	of McLennan.
Covey.	Hendricks.
Cowen.	Howeth.
Crawford.	Irwin.
Davis.	Jacks.
DeBerry.	Jennings.
Dodd.	Jones.

Lackey.	Robinson.
Laird.	Rogers.
Lamb.	Russell
Lane.	of Callahan.
LeMaster.	Russell of Trinity.
Loftin.	Sackett.
McBride.	Sanford.
McDaniel.	Satterwhite.
McDonald.	Shearer.
McFarlane.	Shires.
McNatt.	Simpson.
Martin.	Smith.
Maxwell.	Sparkman.
Merritt.	Stevens.
Montgomery.	Stewart
Moore.	of Edwards.
Morgan	Stewart of Jasper.
of Liberty.	Stewart of Reeves.
Morgan	Storey.
of Robertson.	Stroder.
Pate.	Thompson.
Patman.	Thrasher.
Patterson.	Wallace.
Pinkston.	Wells.
Pool.	Westbrook.
Pope.	Wessels.
Price.	Wilmans.
Quaid.	Wilson.
Quinn.	Winfree.
Rice.	Young.

Absent.

Beasley.	McKean.
Bobbitt.	Mathes.
Coffee.	Melson.
Culp.	Merriman.
Davenport.	Miller.
Dielmann.	Perdue.
Harrington.	Potter.
Houston.	Purl.
Hughes.	Rountree.
Hull.	Rowland.
Johnson.	Sweet.
Kemble.	Teer.
LeSturgeon.	Turner.
Lewis.	Vaughan.
Looney.	Williamson.

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

#### HOUSE BILL NO. 626 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 626, A bill to be entitled "An Act declaring it to be unlawful to kill or trap doves and quail in Young county, in this State, for a period of

five years, and inhibiting the taking or killing of wild fox in said county for a period of five years, except by dogs; prescribing penalties for the violation of this act, and declaring an emergency."

The bill was read second time.

On motion of Mr. McFarlane, the bill was laid on the table subject to call.

#### HOUSE BILL NO. 633 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 633, A bill to be entitled "An Act making it an offense for any person to kill, take or have in his possession wild quail within the period of five years from the passage of this act in the counties of Medina, Uvalde, Zavala, Dimmit, Kinney or Val Verde; prescribing penalties for the violation of this act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 633 ON THIRD READING.

Mr. Durham, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 633 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Abney.	Crawford.
Amsler.	Davis.
Arnold.	DeBerry.
Atkinson.	Dodd.
Avis.	Downs.
Baker of Milam.	Driggers.
Baker of Orange.	Duffey.
Barker.	Dunlap.
Barrett.	Dunn.
Bell.	Durham.
Bird.	Edwards.
Blount.	Fields.
Bonham.	Finlay.
Bryant.	Fugler.
Burmeister.	Gipson.
Cable.	Green.
Carpenter	Greer.
of Matagorda.	Hardin of Erath.
Carson.	Hardin
Carter of Coke.	of Kaufman.
Carter of Hays.	Henderson
Collins.	of Marion.
Covey.	Henderson
Cowen.	of McLennan.

Hendricks.	Purl.
Howeth.	Quinn.
Irwin.	Rice.
Jacks.	Robinson.
Jennings.	Rogers.
Jones.	Rowland.
Laird.	Russell
Lamb.	of Callahan.
Lane.	Russell of Trinity.
LeMaster.	Sackett.
McBride.	Sanford.
McDaniel.	Satterwhite.
McFarlane.	Shires.
McNatt.	Simpson.
Martin.	Smith.
Maxwell.	Sparkman.
Merritt.	Stevens.
Montgomery.	Stewart of Jasper.
Moore.	Stewart of Reeves.
Morgan	Storey.
of Liberty.	Stroder.
Morgan	Thompson.
of Robertson.	Thrasher.
Pate.	Wallace.
Patman.	Wells.
Patterson.	Westbrook.
Perdue.	Wessels.
Pinkston.	Wilmans.
Pool.	Wilson.
Pope.	Winfree.
Price.	Young.

Absent.

Beasley.	Looney.
Bobbitt.	McDonald.
Coffee.	McKean.
Culp.	Mathes.
Davenport.	Melson.
Dielmann.	Merriman.
Faubion.	Miller.
Harrington.	Potter.
Harris.	Quaid.
Houston.	Rountree.
Hughes.	Shearer.
Hull.	Stewart
Johnson.	of Edwards.
Kemble.	Sweet.
Lackey.	Teer.
LeSturgeon.	Turner.
Lewis.	Vaughan.
Loftin.	Williamson.

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

The Speaker then laid House bill No. 633 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 674 ON SECOND  
READING.

Mr. Thrasher, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 674 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Abney.	Irwin.
Amsler.	Jacks.
Arnold.	Jennings.
Atkinson.	Jones.
Avis.	Lackey.
Baker of Milam.	Laird.
Baker of Orange.	Lamb.
Barker.	Lane.
Barrett.	LeMaster.
Bell.	Loftin.
Bird.	McBride.
Blount.	McDaniel.
Bonham.	McDonald.
Bryant.	McFarlane.
Burmeister.	McNatt.
Cable.	Martin.
Carpenter	Maxwell.
of Matagorda.	Melson.
Carson.	Merritt.
Carter of Coke.	Montgomery.
Carter of Hays.	Moore.
Collins.	Morgan
Cowen.	of Liberty.
Crawford.	Morgan
Culp.	of Robertson.
Davis.	Patman.
DeBerry.	Patterson.
Dodd.	Pinkston.
Downs.	Pool.
Driggers.	Pope.
Duffey.	Price.
Dunlap.	Purl.
Dunn.	Rice.
Durham.	Robinson.
Edwards.	Rogers.
Faubion.	Rountree.
Fields.	Rowland.
Finlay.	Russell
Fugler.	of Callahan.
Gipson.	Russell of Trinity.
Green.	Sackett.
Greer.	Sanford.
Hardin of Erath.	Satterwhite.
Hardin	Shearer.
of Kaufman.	Shires.
Harris.	Simpson.
Henderson	Smith.
of Marion.	Sparkman.
Henderson	Stevens.
of McLennan.	Stewart
Hendricks.	of Edwards.
Howeth.	Stewart of Reeves.

Storey.  
Stroder.  
Thompson.  
Thrasher.  
Wallace.  
Wells.

Westbrook.  
Wessels.  
Wilmans.  
Wilson.  
Winfree.  
Young.

Absent.

Beasley.  
Bobbitt.  
Coffee.  
Covey.  
Davenport.  
Dielmann.  
Harrington.  
Houston.  
Hughes.  
Hull.  
Johnson.  
Kemble.  
LeStourgeon.  
Lewis.  
Looney.

McKean.  
Mathes.  
Merriman.  
Miller.  
Pate.  
Perdue.  
Potter.  
Quaid.  
Quinn.  
Stewart of Jasper.  
Sweet.  
Teer.  
Turner.  
Vaughan.  
Williamson.

Absent—Excused.

Baldwin.  
Brady.  
Carpenter  
of Dallas.  
Chitwood.  
Dinkle.

Frnka.  
Lusk.  
Stell.  
Stiernberg.  
Strickland.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 674, A bill to be entitled "An Act exempting Travis county for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts 1918, Fourth Called Sessoin, and providing for an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 674 ON THIRD  
READING.

The Speaker then laid House bill No. 674 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Abney.  
Amsler.  
Atkinson.  
Avis.  
Baker of Milam.  
Baker of Orange.  
Barker.  
Bell.  
Bird.

Blount.  
Bryant.  
Burmeister.  
Cable.  
Carpenter  
of Matagorda.  
Carter of Coke.  
Carter of Hays.  
Collins.

Covey.	Merritt.
Cowen.	Montgomery.
Crawford.	Moore.
Culp.	Morgan
Davis.	of Liberty.
DeBerry.	Morgan
Dodd.	of Robertson.
Downs.	Patman.
Driggers.	Perdue.
Duffey.	Pinkston.
Dunlap.	Pool.
Dunn.	Pope.
Durham.	Price.
Faubion.	Purl.
Fields.	Quaid.
Finlay.	Quinn.
Fugler.	Rice.
Gipson.	Robinson.
Greer.	Rogers.
Hardin of Erath.	Rowland.
Hardin	Russell
of Kaufman.	of Callahan.
Harris.	Russell of Trinity.
Henderson	Sackett.
of Marion.	Sanford.
Henderson	Satterwhite.
of McLennan	Shearer.
Hendricks.	Shires.
Howeth.	Simpson.
Irwin.	Smith.
Jacks.	Sparkman.
Jones.	Stewart
Lackey.	of Edwards.
Laird.	Stewart of Jasper.
Lamb.	Stewart of Reeves.
Lane.	Storey.
LeMaster.	Stroder.
Loftin.	Thompson.
McBride.	Thrasher.
McDaniel.	Wallace.
McDonald.	Wells.
McFarlane.	Westbrook.
McNatt.	Wilmans.
Martin.	Wilson.
Maxwell.	Winfree.
Melson.	Young.

Nays—1.

Wessels.

Absent.

Arnold.	Jennings.
Barrett.	Johnson.
Beasley.	Kemble.
Bobbitt.	LeStourgeon.
Bonham.	Lewis.
Carson.	Looney.
Coffee.	McKean.
Davenport.	Mathes.
Dielmann.	Merriman.
Edwards.	Miller.
Green.	Pate.
Harrington.	Patterson.
Houston.	Potter.
Hughes.	Rountree.
Hull.	Stevens.

Sweet.	Vaughan.
Teer.	Williamson.
Turner.	

Absent—Excused

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## HOUSE BILL NO. 433 ON SECOND READING.

On motion of Mr. Stewart of Jasper, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 433, A bill to be entitled "An Act making it a misdemeanor punishable by a fine of not less than \$25 nor more than \$100 for any person to kill in any manner any wild male or female deer in the counties of San Augustine, Sabine, Newton and Jasper, at any time within five years from the date on which this act goes into effect."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

## HOUSE BILL NO. 433 ON THIRD READING.

Mr. Stewart of Jasper moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 433 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Abney.	Carter of Hays.
Amsler.	Collins.
Arnold.	Covey.
Atkinson.	Cowen.
Avis.	Crawford.
Baker of Milam.	Culp.
Baker of Orange.	Davis.
Barker.	DeBerry.
Barrett.	Dodd.
Bell.	Downs.
Bird.	Driggers.
Blount.	Duffey.
Bonham.	Dunlap.
Bryant.	Dunn.
Burmeister.	Durham.
Cable.	Edwards.
Carpenter	Fields.
of Matagorda.	Finlay.
Carson.	Fugler.
Carter of Coke.	Green.

Greer.	Pinkston.
Hardin	Pool.
of Kaufman.	Pope.
Harris.	Price.
Henderson	Purl.
of Marion.	Quaid.
Henderson	Quinn.
of McLennan.	Robinson.
Hendricks.	Rogers.
Howeth.	Rowland.
Irwin.	Russell
Jacks.	of Callahan.
Jennings.	Russell of Trinity.
Jones.	Sackett.
Lackey.	Sanford.
Laird.	Satterwhite.
Lamb.	Shearer.
Lane.	Shires.
LeMaster.	Simpson.
Loftin.	Sparkman.
McBride.	Stevens.
McDaniel.	Stewart of Jasper.
McDonald.	Stewart of Reeves.
McFarlane.	Storey.
McNatt.	Stroder.
Martin.	Thompson.
Maxwell.	Thrasher.
Merritt.	Wallace.
Montgomery.	Wells.
Moore.	Westbrook.
Morgan	Wessels.
of Robertson.	Wilmans.
Pate.	Wilson.
Patman.	Winfree.
Patterson.	Young.
Perdue.	

Absent.

Beasley.	Mathes.
Bobbitt.	Melson.
Coffee.	Merriman.
Davenport.	Miller.
Dielmann.	Morgan
Faubion.	of Liberty.
Gipson.	Potter.
Hardin of Erath.	Rice.
Harrington.	Rountree.
Houston.	Smith.
Hughes.	Stewart
Hull.	of Edwards.
Johnson.	Sweet.
Kemble.	Teer.
LeSturgeon.	Turner.
Lewis.	Vaughan.
Looney.	Williamson.
McKean.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

The Speaker then laid House bill No.

433 before the House, on its third reading and final passage.

The bill was read third time.

Mr. Burmeister offered the following amendment to the bill:

Amend the bill by adding 'McMullen, Live Oak, Frio, LaSalle and Atascosa.'

The amendment was adopted.

House bill No. 433 was then finally passed by the following vote:

Yeas—164.

Abney.	Laird.
Amsler.	Lamb.
Arnold.	Lane.
Atkinson.	LeMaster.
Avis.	Loftin.
Baker of Milam.	McBride.
Baker of Orange.	McDaniel.
Barker.	McDonald.
Barrett.	McFarlane.
Bell.	McNatt.
Bird.	Martin.
Blount.	Maxwell.
Bryant.	Merritt.
Burmeister.	Montgomery.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Liberty.
Carter of Coke.	Morgan
Collins.	of Robertson.
Covey.	Patman.
Cowen.	Patterson.
Crawford.	Perdue.
Culp.	Pool.
Davis.	Pope.
DeBerry.	Price.
Dodd.	Purl.
Downs.	Quaid.
Driggers.	Quinn.
Duffey.	Rice.
Dunlap.	Robinson.
Dunn.	Rogers.
Durham.	Rowland.
Faubion.	Russell
Fields.	of Callahan.
Frnka.	Russell of Trinity.
Fugler.	Sackett.
Gipson.	Sanford.
Green.	Satterwhite.
Greer.	Shearer.
Hardin of Erath.	Shires.
Hardin	Simpson.
of Kaufman.	Smith.
Harris.	Sparkman.
Henderson	Stevens.
of Marion.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of McLennan.	Storey.
Hendricks.	Stroder.
Howeth.	Thompson.
Irwin.	Thrasher.
Jacks.	Wallace.
Jennings.	Wells.
Jones.	Westbrook.

Wessels.  
Wilmons.  
Wilson.

Winfree.  
Young.

Nays—5.

Carter of Hays. Pinkston.  
Finlay. Stewart  
Lackey. of Edwards.

Present—Not Voting.

Pate.

Absent.

Beasley.	Lewis.
Bobbitt.	Looney.
Bonham.	McKean.
Cable.	Mathes.
Coffee.	Melson.
Davenport.	Merriman.
Dielmann.	Miller.
Edwards.	Potter.
Harrington.	Rountree.
Houston.	Sweet.
Hughes.	Teer.
Hull.	Turner.
Johnson.	Vaughan.
Kemble.	Williamson.
LeStourgeon.	

Absent—Excused.

Baldwin.	Dinkle.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.

(Speaker in the chair.)

#### HOUSE BILL NO. 503 ON SECOND READING.

On motion of Mr. McFarlane, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 503, A bill to be entitled "An Act for the protection of those who have filed pre-emption of homestead donation claims on school section 2, S. P. Ry. Co., Certificate 16-58, in Jack county, Texas, by authorizing the original pre-emptors or their assignees in good faith and for value to purchase, and the Commissioner of the General Land Office to sell to them such portions as they own in good faith and for value under said pre-emption or homestead claim at fifty (50) cents per acre, after they have filed field notes in the General Land Office and have met such requirements as the law imposes on the owners of homestead or pre-emption claims and purchasers of school lands desiring patents therefor, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 503 ON THIRD READING.

Mr. McFarlane moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 503 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Jennings.
Abney.	Lackey.
Amsler.	Lamb.
Arnold.	Lane.
Avis.	LeMaster.
Baker of Milam.	McBride.
Baker of Orange.	McDaniel.
Barker.	McDonald.
Barrett.	McFarlane.
Bell.	McNatt.
Bird.	Martin.
Blount.	Maxwell.
Bryant.	Merritt.
Burmeister.	Montgomery.
Cable.	Moore.
Carpenter	Morgan
of Matagorda.	of Liberty.
Carson.	Morgan
Carter of Coke.	of Robertson.
Carter of Hays.	Pate.
Collins.	Patman.
Covey.	Patterson.
Cowen.	Perdue.
Crawford.	Pinkston.
Culp.	Pool.
Davis.	Pope.
DeBerry.	Price.
Dodd.	Quinn.
Downs.	Rice.
Driggers.	Robinson.
Duffey.	Rogers.
Dunlap.	Rowland.
Dunn.	Russell
Durham.	of Callahan.
Faubion.	Russell of Trinity.
Fields.	Sackett.
Finlay.	Sanford.
Fugler.	Shearer.
Gipson.	Shires.
Green.	Simpson.
Greer.	Smith.
Hardin of Erath.	Sparkman.
Hardin	Stewart
of Kaufman.	of Edwards.
Harris.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of McLennan.	Storey.
Hendricks.	Stroder.
Howeth.	Thompson.
Jacks.	Thrasher.

Turner.  
Wells.  
Westbrook.  
Wessels.

Wilmans.  
Wilson.  
Winfree.  
Young.

Absent.

Atkinson.  
Beasley.  
Bobbitt.  
Bonham.  
Coffee.  
Davenport.  
Dielmann.  
Edwards.  
Harrington.  
Henderson  
of Marion.  
Houston.  
Hughes.  
Hull.  
Irwin.  
Johnson.  
Jones.  
Kemble.  
Laird.  
LeStourgeon.

Lewis.  
Loftin.  
Looney.  
McKean.  
Mathes.  
Melson.  
Merriman.  
Miller.  
Potter.  
Purl.  
Quaid.  
Rountree.  
Satterwhite.  
Stevens.  
Sweet.  
Teer.  
Vaughan.  
Wallace.  
Williamson.

Absent—Excused.

Baldwin.  
Brady.  
Carpenter  
of Dallas.  
Chitwood.  
Dinkle.

Frnka.  
Lusk.  
Stell.  
Stiernberg.  
Strickland.

The Speaker then laid House bill No. 503 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### HOUSE JOINT RESOLUTION NO. 9 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. J. R. No. 9, Providing for calling of a constitutional convention.

On motion of Mr. Satterwhite, the resolution was laid on the table subject to call.

#### HOUSE BILL NO. 274 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 274, A bill to be entitled "An Act to amend Sections 2 and 3 of Chapter 190 of the Acts of 1917 and adding Section 3a. increasing the term of office for the members of the Board of Highway Commissioners from two to

six years so that one term of office will expire each two years, and providing compensation of \$2,500 per year for members of said commission.

The bill having heretofore been read second time.

Mr. Moore offered the following amendment to the bill:

Amend House bill No. 274, page 1, line 19, by striking out the period after the word "commission," and inserting the following: "who shall hold their offices until February 15, 1925. That beginning February 15, 1925, the."

The amendment was adopted.

Mr. Burmeister offered the following amendment to the bill:

Amend House bill No. 274, page 2, line 12, by inserting after the word "service," the words "to be paid in monthly installments of one-twelfth of said salary."

The amendment was adopted.

House bill No. 274 was then passed to engrossment.

#### HOUSE BILL NO. 274 ON THIRD READING.

Mr. Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 274 be placed on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths votes:

Yeas—83.

Mr. Speaker.  
Amsler.  
Arnold.  
Baker of Orange.  
Barrett.  
Bell.  
Blount.  
Bonham.  
Burmeister.  
Carpenter  
of Matagorda.  
Carson.  
Collins.  
Cowen.  
Culp.  
DeBerry.  
Dodd.  
Downs.  
Driggers.  
Duffey.  
Dunlap.  
Dunn.  
Durham.  
Edwards.  
Faubion.

Fields.  
Fugler.  
Gipson.  
Green.  
Hardin of Erath.  
Harris.  
Henderson  
of Marion.  
Hendricks.  
Howeth.  
Jennings.  
Jones.  
Lackey.  
Lamb.  
Lane.  
LeMaster.  
McBride.  
McDonald.  
McNatt.  
Martin.  
Maxwell.  
Melson.  
Montgomery.  
Moore.

Morgan	Sanford.
of Liberty.	Satterwhite.
Morgan	Shearer.
of Robertson.	Simpson.
Pate.	Smith.
Patman.	Sparkman.
Perdue.	Stevens.
Pinkston.	Stewart
Pool.	of Edwards.
Pope.	Stewart of Jasper.
Price.	Stewart of Reeves.
Purl.	Stroder.
Quinn.	Thrasher.
Rice.	Turner.
Robinson.	Wells.
Rogers.	Wilmans.
Russell	Wilson.
of Callahan.	Winfree.
Russell of Trinity.	Young.
Sackett.	

Nays—25.

Abney.	Henderson
Atkinson.	of McLennan.
Barker.	Laird.
Bird.	Loftin.
Bryant.	McDaniel.
Cable.	McFarlane.
Carter of Hays.	Merritt.
Covey.	Patterson.
Crawford.	Rowland.
Davis.	Storey.
Finlay.	Thompson.
Greer.	Westbrook.
Hardin	Wessels.
of Kaufman.	

Present—Not Voting.

Avis.

Absent.

Baker of Milam.	Lewis.
Beasley.	Looney.
Bobbitt.	McKean.
Carter of Coke.	Mathes.
Coffee.	Merriman.
Davenport.	Miller.
Dielmann.	Potter.
Harrington.	Quaid.
Houston.	Rountree.
Hughes.	Shires.
Hull.	Sweet.
Irwin.	Teer.
Jacks.	Vaughan.
Johnson.	Wallace.
Kemble.	Williamson.
LeStourgeon.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 3, 1923.

Hon. R. E. Seagler, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed the following bills:

H. B. No. 29, A bill to be entitled  
"An Act to amend Article 2, Title 1 of  
the Revised Civil Statutes of the State  
of Texas, 1911, relating to the adoption  
of heirs, so as to permit the adoption  
of minors only as legal heirs, and defin-  
ing and designating the rights, privi-  
leges and inheritance of heirs by adop-  
tion, and declaring an emergency."

H. B. No. 33, A bill to be entitled  
"An Act requiring the labeling of all  
cloth, fabric, garments or articles of ap-  
parel sold or offered for sale in this  
State which contain wool or purport to  
contain wool, and samples containing  
or purporting to contain wool displayed  
in this State in soliciting orders, and  
providing for punishment for violation  
of this act," with amendments.

H. B. No. 45, A bill to be entitled  
"An Act to prevent the selling of bass,  
white perch, crappie, channel or other  
catfish in the counties of Burnet, Llano,  
San Saba, Brown, McCulloch, Edwards,  
Coleman, Concho, Menard, Blanco, Gil-  
lespie, Kimble, Sutton, Kinney, Uvalde,  
Real, Kerr, Val Verde, Loving and  
Pecos, State of Texas; prohibiting the  
use of any seine, net, trap or other de-  
vice for taking or catching fish other  
than a minnow seine which shall not be  
more than twenty feet in length; limit-  
ing the size of fish which may be taken  
with a minnow seine; making it unlaw-  
ful to violate any of the provisions of  
this law, and providing penalties for  
the violations thereof; providing that  
the district judge of the judicial dis-  
tricts in which these counties are situat-  
ed shall give a special charge upon this  
law to the grand juries of said counties,  
and declaring an emergency," with  
amendments.

H. B. No. 93, A bill to be entitled  
"An Act to make appropriation to pay  
off that certain note executed by the  
Prison Commission to Bassett Blakely  
for the purchase of certain mules, and  
declaring an emergency."

H. B. No. 410, A bill to be entitled  
"An Act requiring the erection of ade-  
quate fire escapes on certain classes of  
three or more story buildings now or  
hereafter constructed in this State, and



making it the duty of the owners of such buildings and the duty of all boards, commissions, boards of trustees of public schools, county commissioners courts, city councils, boards of city commissioners, and all officials having charge or supervision of public buildings within the provisions of this act and owned by this State or by any county, city, town or school district to provide such buildings with adequate fire escapes; defining the terms 'owner,' 'story' and 'adequate fire escape,' and fixing minimum specifications for adequate fire escapes and requiring the maintenance of exit and guide lights and signs to fire escapes and making it an offense to obstruct the free access to any fire escape; fixing the time within which such buildings shall be equipped with fire escapes and exempting from this act certain buildings already equipped with fire escapes meeting certain requirements; fixing penalties for violation of any provision of this act by owners of buildings, and making it an offense for any person as agent to represent a non-resident owner of any building within the provisions of this act, who fails to comply with this act and fixing penalty therefor; providing that the State Fire Marshal shall have general supervision of the enforcement of this act and making it his duty and the duty of certain other officials to give notice of the provisions of this act and file complaints for violation of its provisions, and authorizing private persons to file such complaints, and making it the duty of county attorneys and district attorneys under certain conditions, to prosecute such complaints; providing that the Attorney General and county and district attorneys may proceed by suit or injunction to enforce the provisions of this act, and permitting such suits to be prosecuted on the relation of said officials or of the State Fire Marshal or any inspector of the State Fire Commission, or the chief of any fire department or the fire marshal of any city or town, or of any private person, and authorizing district courts and judges thereof to issue mandatory injunctions and other writs to enforce the provisions of this act; providing that if any section, paragraph or provision of this act shall be held unconstitutional, that such holding shall not affect the remaining sections, paragraphs or provisions hereof; repealing Chapter 70 of the Acts of the Regular Session of the Thirtieth Legislature,

passed and approved April 6, 1907, and Chapter 12 of the Acts of the Regular Session of the Thirty-fourth Legislature, passed and approved February 16, 1915, and Chapter 140 of the Acts of the Regular Session of the Thirty-fifth Legislature, passed and approved March 30, 1917, all relating to fire escapes, and also repealing Articles 861 to 867, inclusive, of the Penal Code of the Revised Criminal Statutes of 1911, and all laws and parts of laws in conflict with this act, and declaring an emergency," with amendments.

H. B. No. 419, A bill to be entitled "An Act to amend Article 7017, Revised Civil Statutes, 1911, conferring authority upon the commissioners courts of two or more counties to join in the construction of bridges, and pay for the same out of the funds of the respective counties, and declaring an emergency."

H. B. No. 476, A bill to be entitled "An Act repealing Chapter 30 of the General Laws of the Regular Session of the Thirty-seventh Legislature, which chapter relates to the jurisdiction of the county court of Edwards county, and which vested in the county court of said county civil and criminal jurisdiction as provided by general law for county courts, and reviving any and all laws which stand repealed by reason of said Chapter 30, General Laws, Regular Session, Thirty-seventh Legislature, and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act defining and regulating the practice of chiropody in the State of Texas; providing for the examination and registration of persons desiring to practice chiropody and the issuance of license therefor; providing for the creation of the State Board of Chiropody Examiners; prescribing fees that may be charged for registration; making it unlawful for any person not licensed under the law of this act to practice chiropody; providing for the registration of persons who have been engaged in the practice of chiropody in other States; for the revocation of licenses granted by the State Board of Chiropody Examiners for the State of Texas; prescribing fees to be charged by the State Board of Chiropody Examiners; defining offenses and prescribing penalties therefor, and declaring an emergency."

H. B. No. 494, A bill to be entitled "An Act creating a special road law for Fayette county; providing for a systematic method of road maintenance in

harmony with the Davidson-Perkins Patrol Act; adapting the patrol system to the special wants of the county; providing for a budget system for the road and bridge funds of the county; authorizing and directing the commissioners court to employ a practical road superintendent when in their judgment his services are necessary, and in the absence of such road superintendent making the commissioners such ex-officio road superintendent of his respective commissioners precinct; prescribing the duties and liabilities of all persons subject to road duty; fixing penalties for the violation or neglect of such duty so imposed; providing that the act shall be cumulative to existing laws where not in conflict therewith; providing for power and procedure for the protection of roads and highways against unusually heavy traffic, and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act creating and incorporating the Southland Independent School District in the counties of Garza, Lynn and Lubbock, in the State of Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Southland Independent School District shall assume and discharge its pro rata part of any and all bonds, indebtedness and interest thereon now in force against the Slaton Independent School District on terms named in this act; providing that said Southland Independent School District shall assume and discharge all bonds and indebtedness existing against any common school district whose lands are included within the boundaries of the district hereby created; validating and continuing in force any and all taxes heretofore voted and now in force in any of the territory included within the boundaries of Southland Independent School District as created by this act; providing that title to any and all property belonging to said district shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all mat-

ters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions of this act, and declaring an emergency."

H. B. No. 505. A bill to be entitled "An Act to amend the Special Road Law for Smith county, Texas, passed at the Regular Session of the Thirty-third Legislature, and known as Chapter 70, Special Laws of the Thirty-third Legislature, by providing that delinquent poll taxpayers of Smith county shall be subject to road duty; prescribing penalties for failure to work the roads; providing for the payment of a sum of money in lieu of such road duty; providing how the law is to be enforced, and declaring an emergency."

H. B. No. 507, A bill to be entitled "An Act creating the Simmons Independent School District in Live Oak county, Texas; defining its boundaries; providing for a board of trustees; vesting title to all school property within said school district in the trustees; and their successors; charging said district with all indebtedness and the performance of all contracts of the school included within the district; providing that the board of trustees heretofore elected and now serving the Simmons Common School District No. 2, as now existing, shall continue in office for the district hereby created until the expiration of their term and their successors shall have been elected and qualified; authorizing the trustees to exercise all the rights and powers conferred by general laws upon trustees of independent school districts created for school purposes only under the general laws; validating and continuing in force the local maintenance taxes heretofore voted by the voters in the territory included within the district hereby created, by a uniform tax upon the whole district, increase or diminish the same, or until they abolish such taxes in accordance with the general statutes; providing that if any part of this act is held ineffective or unconstitutional, the remaining part of this act shall not be invalidated; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 508. A bill to be entitled "An Act to amend Section 3 of an act creating the Poteet Independent School District in Atascosa county, Texas, being Chapter 23 of the Acts of the Thirty-third Legislature, Regular Ses-

sion; providing for the management and control of the public free schools within said district, and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act validating Consolidated Common School District No. 1 of Castro county, Texas, and validating an issue of bonds heretofore voted by said district, and declaring an emergency."

H. B. No. 509, A bill to be entitled "An Act creating and incorporating the Levelland Independent School District, in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes, and a board of equalization; providing that said Levelland Independent School District shall assume and discharge its pro rata part of the bonds and interest thereon now in force against the Ropes Independent School District on terms named in this act as well as its pro rata part of other indebtedness; continuing valid and binding obligations of said Ropes Independent School District; validating and continuing in force any and all taxes heretofore voted and now in force in any of the territory included within the boundaries of Levelland Independent School District as created by this act; providing that title to any and all property belonging to said district shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions of this act, and declaring an emergency."

H. B. No. 518, A bill to be entitled "An Act creating the Brackett Independent School District in Kinney county, Texas; defining its boundaries, including the Brackett Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed

by the general laws upon independent school districts and the boards of trustees thereof; providing that the present board of trustees shall continue in office until the expiration of their respective terms and validating their elections; providing that outstanding bonds shall remain chargeable against the territory which voted same; providing for an election for the purpose of assuming said bonded indebtedness by the district as herein created; providing for the appointment of an assessor and collector and board of equalization for said district; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 528, A bill to be entitled "An Act taking certain territory from Common School District No. 16 of Baylor county and annexing the same to and making it part of Common School District No. 14 of Baylor county, and taking the remainder of the territory of said Common School District No. 16 and annexing the same unto Megargel Independent School District of Archer county, and creating the said Megargel Independent School District into a county line independent school district; conferring upon the same the powers now enjoyed by said Megargel Independent School District, and in addition thereto all of the powers which may be enjoyed or exercised by a county line independent school district; and providing for an election to adjust the territory thus attached to said common school district, and the territory thus attached to said independent school district, as to taxes which may be now levied upon said common school district and upon the property of said independent school district, and for an assumption by the said common school district, respectively, of the pro rata taxes payable by said added territory on account of any outstanding bond issues which may exist against said common school district and against said independent school district, and declaring an emergency."

H. B. No. 136, A bill to be entitled "An Act amending Section 39 of Chapter 42, General Laws of the First Called Session of the Thirty-seventh Legislature, relative to public roads and highways, so as to except and exempt from the provisions of said chapter the county of Marion, and declaring an emergency," with amendments.

H. B. No. 546, A bill to be entitled "An Act to validate Simmons Common School District No. 7 in Grayson county,

Texas, as re-defined and re-established by order of the county school trustees of Grayson county, Texas, on February 12, 1923, and Common County Line School District No. 8 as re-defined and re-established by an order of the county school trustees of Grayson county, Texas, on February 12, 1923, and by an order of the county school trustees of Collin county, Texas, on February 13, 1923."

H. B. No. 566. A bill to be entitled "An Act to amend Chapter 87 of the Acts of the Regular Session of the Thirty-fifth Legislature and amendments thereof, by adding thereto a new section to be known as Section 138, and providing that the board of directors of a water improvement district may exclude from same without requiring an application therefor, lands which cannot be irrigated by gravity flow from the canal system as planned and constructed, and if the owner of such lands shall thereafter and within one year elect to place said lands or part thereof in cultivation by use of water from said irrigation system by means other than provided at the time said lands were excluded, same may be again included in said district upon the application of the owner thereof made as provided by law; providing the manner of excluding and again including such lands in a district; also amending said act by amending Section 8 of Chapter 13 of the Acts of the Thirty-seventh Legislature, Regular Session, which act amended said Chapter 87, Acts of Regular Session of the Thirty-fifth Legislature, providing for the organization and operation of water improvement districts. This act amends Section 122 of said Chapter 87, Acts, Regular Session, Thirty-fifth Legislature as amended by Section 8, Acts of the Regular Session of the Thirty-seventh Legislature, and provided the manner and mode of levying and assessing taxes by such districts which may adopt the assessment of benefit plan of taxation, and that such districts may by election adopt a uniform basis of benefits apply to all lands irrigated by gravity flow from the canal system, and for a different basis of assessment on uniform basis on all lands classed as non-irrigable by gravity flow, and providing that if lands so classed as non-irrigable are thereafter irrigated the method of determining the amount of payments to be made thereon. The manner of adopting such assess-

ments by election, declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act to amend Section 3 of an act creating the Poteet Independent School District in Atascosa county, Texas, being Chapter 23 of the Acts of the Thirty-third Legislature, Regular Session; providing for the management and control of the public free schools within said district, and declaring an emergency."

S. B. No. 8, A bill to be entitled "An Act providing that if any sheriff, deputy sheriff, constable, ranger, city marshal, chief of police, policeman, or any other public officer in this State having under arrest or in his custody as prisoner any person, shall torture, torment or punish any such person by inflicting on him any mental or physical pain for the purpose of making such person confess any knowledge of the commission of any crime, such officer shall be deemed guilty of a misdemeanor and shall be punished as hereinafter provided, and declaring an emergency."

S. B. No. 252, A bill to be entitled "An Act to amend Article 1064 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide means for settlement of debts of municipal corporations where abolished or where de facto municipal corporations are now or hereafter declared void by court of competent jurisdiction; and by adding after said article a new article to be known as Article 1064a, so as to provide that holders of indebtedness of such municipal corporations may maintain proper suit in court and have service on named officials and judgment as if such corporation had not been dissolved."

S. B. No. 234, A bill to be entitled "An Act to amend Article 3833 of Chapter 4 of the General Laws of the State of Texas as passed by the Thirty-sixth Legislature at its Third Called Session, 1920, entitled 'An Act to amend Article 3833 of Chapter 130 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State, and declaring an emergency,' so as to add to and include in the counties of this State therein referred to counties in this State wherein the taxable values are not less than \$40,000,000 nor more than \$60,000,000, and declaring an emergency."

S. B. No. 134, A bill to be entitled

"An Act to amend Chapter 60 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature as originally enacted, as amended by Chapter 12, General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by the General Laws of the Third Called Session of the Thirty-sixth Legislature, by adding thereto fourteen (14) additional sections designated as 15f, 15g, 15h, 15i, 15j, 15k, 15l, 15m, 15n, 15o, 15p, 15q, 15r and 15s; this amendment provides in substance that when cattle or sheep are found to be infected with cattle or sheep scabies, or are exposed to are have been exposed thereto, are upon premises where such scabies are known to have been within a certain period of time, the owners and caretakers thereof shall dip said cattle or sheep in a dip solution provided therefor at certain stated intervals after having first been notified by the Live Stock Sanitary Commission or its chairman to so dip the same; providing the contents of the notice to be given, providing for hearings to be had upon contest of such dipping order, providing for court review of such hearing; providing for inspection to be had of cattle or sheep and premises by the Live Stock Sanitary Commission or its representatives under certain conditions; providing for reasonable time after contest of dipping order to be given for the owners or caretakers to comply with said dipping order; providing that owners and caretakers of such animals shall gather same for inspection and a failure or refusal so to do shall be prima facie evidence that such animals or the premises where same are kept are infected with scabies; providing for disinfection of shearing plants, machinery and implements and the wearing apparel of laborers engaged in shearing sheep infected with scabies or located upon premises under quarantine for sheep scabies and providing manner of such disinfection, and fixing penalties for violation thereof; providing for disinfection of premises under quarantine for sheep scabies infection and how the same shall be disinfected and the disinfectant to be used therefor, and providing penalties for failure to so disinfect said premises; providing where the owners or caretakers of cattle or sheep required to be dipped for infection or exposure fail or refuse to dip cattle or sheep when ordered so to do the commissioners court of the county shall cause said animals to be dipped under the di-

rection and supervision of an authorized inspector of the Live Stock Sanitary Commission, and providing for the payment of expenses out of the general fund of the county and fixing a lien upon the cattle or sheep so dipped in behalf of the county, and providing for foreclosure of such lien; making it unlawful for any person, company or corporation to transport over any public road or railroad or on the lands and premises of another cattle or sheep infected with scabies; prohibiting the importation into this State of sheep except under certain requirements and providing how sheep imported shall be billed and providing penalties for importation of sheep in violation thereof; providing that this act is cumulative of all existing statutes in reference to the quarantine of cattle and sheep or premises for the eradication of cattle and sheep scabies; providing that this act shall be liberally construed and if any section be declared invalid the remaining parts of the law shall not be affected thereby; repealing Title 136 of the Revised Civil Statutes of 1911 and all laws or parts of laws in conflict with this act, and declaring an emergency."

S. B. No. 275, A bill to be entitled "An Act to permit boards of trustees of religious, charitable, educational or eleemosynary institutions to be affiliated with, elected and controlled by a convention, conference or association, incorporated or unincorporated, organized under the laws of this or another State whose membership is composed of representatives, delegates or messengers from any church or other religious association; also to permit such institutions to acquire, own, hold, mortgage and dispose of property, real and personal, within this State, in furtherance of the purposes of the organization."

S. B. No. 310, A bill to be entitled "An Act to amend Sections 5 and 15 of Chapter 58, General Laws, passed at the Second Called Session of the Thirty-sixth Legislature, relating to and regulating the practice of veterinary medicine and veterinary surgery in this State, and declaring an emergency."

S. B. No. 338, A bill to be entitled "An Act to amend Section 52 of Article 30, Title 5 of the Revised Statutes, changing the time of holding the terms of the district court of the Fifty-second Judicial District of Texas; repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 322, A bill to be entitled

"An Act providing that it shall be unlawful for the owner, keeper or person in control of any dog accustomed to run, worry or kill goats and sheep, knowing such dog to be so accustomed to run, worry or kill goats or sheep, to permit such dog to run at large; providing penalties, and declaring an emergency."

S. B. No. 379, A bill to be entitled "An Act to prohibit the hunting or taking of wild game birds and wild game fowls and wild animals from an airplane, a powerboat, a sailboat, any boat under sail, or any floating device towed by powerboat or sailboat; prescribing penalties for the violation of its provisions; providing for the Game, Fish and Oyster Commissioner and his deputies to have jurisdiction in the enforcement of same, and declaring an emergency."

S. B. No. 402, A bill to be entitled "An Act creating and incorporating the Houston Independent School District, and defining its boundaries; providing that said act shall automatically extend to all territory which may hereafter be included in the new city limits by an extension thereof, and providing how the territory adjacent to said district may become part of said district; authorizing and providing the manner of selection of trustees, and describing their qualifications and terms of office, and organizing the Board of Education of the Houston Independent School District, and continuing the present school board until the organization of the Board of Education; and providing for an election to determine whether the board shall remain appointive, as herein required or shall become elective; prescribing the time and method of holding said election and how the trustees shall be elected thereafter if it is determined by said election that the board shall become elective; validating the appointment of and all official acts done by the present school board; prescribing the oath of affirmation of said trustees; providing for the election of officers of said board, and the meetings, records and conduct of the business thereof; giving said independent school district, through its said board, the power to manage and control, maintain and operate public free schools within said district, and to prescribe qualifications of, and issue certificates to, teachers; to recognize and validate teachers' certificates and diplomas; to make rules and regulations for the government and

conduct of said schools, and for the protection of those attending said schools; to prescribe age limits of pupils, and to enforce their attendance; to employ attendance officers, and to fix their compensation; to take over and hold in trust for public school property and equipment, and to purchase and lease grounds upon which to erect school buildings and play grounds; to construct, equip and maintain such buildings; to provide for the establishment of schools for the teaching of special subjects, and to prescribe the course of study; to provide all necessary articles for the efficient instruction of the pupils and operation and maintenance of schools; giving said district through the Board of Education, the power to make contracts, to be a party to actions in courts, without giving bond, either original or on appeal; exempting said district from the levy of executions, attachments and garnishments, and from liability for assignments of wages, and exempting it from liability for damages for personal injuries or damages to property; and exempting said district and its property from involuntary liens; authorizing it to receive gifts, grants, conveyances, donations and devises for the use of the public free schools of said independent school district; authorizing it to select a depository upon sealed competitive bids, and prescribing and regulating the conduct of such depository, and requiring bond, and forbidding the making of contracts and the making of purchases in excess of \$1000 except upon competitive bids; giving it the power to levy and collect taxes; to issue and dispose of bonds, and providing for the payment of same, and validating all school bonds and school refunding bonds heretofore issued by the city of Houston as an independent school district, as well as by the proper authorities of Harris County Independent School District No. 25; and validating, confirming and approving all official acts of the board of trustees of the school board of said city, as well as of the trustees of Harris County Independent School District No. 25, and as well as the present school board; conferring upon said district the power of eminent domain, and the power to sell, exchange and lease the property thereof; to order elections within said district for the issuance of bonds and for the levy of taxes; and providing for the assumption against the city of Houston of all outstanding school bonds and school re-

funding bonds, and of all outstanding bonds of a like kind issued by Harris County Independent School District No. 25, and providing for the payment of interest and the creation of a sinking fund for the liquidation of said bonds, as well as any other bonds which may hereafter be voted; to adopt text books; to take the school census; for the removal from office of any member of said board; giving certain officers of said board authority to administer oaths; and providing for a corporate seal, and giving said district, through its Board of Education, power to manage and control public free schools within said district and to do all things authorized by this act; repealing Section 14, Chapter 17 of the Local and Special Laws of the Twenty-ninth Legislature, passed at the Regular and First Called Session thereof, incorporating the city of Houston into an independent school district, said act having been approved March 18, 1905; and also repealing all special and general laws in conflict with the provisions of this act, and declaring an emergency."

S. B. No. 406, A bill to be entitled "An Act to amend Chapter 141, Acts of the Regular Session of the Thirty-fifth Legislature, so as to prohibit commissioners courts and supervisors of levee improvement districts from letting any contract calling for or requiring the expenditure of two thousand dollars (\$2000) or more without first submitting same to competitive bids and publishing notice of the proposed letting of such contract; providing that such requirement may be waived in case of public calamity; requiring all contracts for more than five hundred dollars (\$500) and less than two thousand dollars (\$2000) be let on competitive basis; providing that contracts made in violation of this act shall not be enforced and may be enjoined, and declaring an emergency."

S. J. R. No. 13, Joint resolution amending Section 9 of Article 8 of the Constitution of the State of Texas, providing that the Legislature may authorize an annual ad valorem tax to be levied and collected for the further maintenance of the public roads; provided that a majority of the qualified taxpaying voters of the county voting at an election to be held for that purpose shall vote such tax not to exceed one dollar on the one hundred dollars valuation of the property subject to taxation in such county.

H. C. R. No. 26, Adopting the joint rules of the Senate and the House of the Thirty-eighth Legislature.

S. C. R. No. 2, Relating to Admiral A. O. Wright.

The Senate has adopted the Free Conference Committee report on House bill No. 294.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### HOUSE BILL NO. 111 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 111. A bill to be entitled "An Act to preserve, propagate, distribute and protect the wild game animals, wild game birds and fowls, and wild birds of this State; defining offenses and prescribing penalties for the violations thereof; providing for the issuance of hunting licenses; the appointment of deputy game, fish and oyster commissioners, prescribing their duties and compensations; making provisions for the creation of a special game fund and appropriating the same for the purpose of carrying out the provisions of this act; repealing certain laws and all laws, general and special, in conflict herewith, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Lackey and amendment by Mr. Burmeister to the amendment and substitute by Mr. LeSturgeon for the amendment to the amendment, and amendment by Mr. Cable striking out the enacting clause, pending.

Question first recurring on the amendment by Mr. Cable, striking out the enacting clause, it was lost.

Question next recurring on the substitute by Mr. LeSturgeon, it was adopted.

Mr. Lackey moved to table the amendment to the amendment as substituted. The motion to table was lost.

Mr. Purl moved the previous question on the pending amendments and the bill, and the motion was not seconded.

Question recurring on the amendment by Mr. Burmeister, as substituted, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—40.

Abney.	Henderson
Atkinson.	of Marion.
Baker of Milam.	Hendricks.
Baker of Orange.	Howeth.
Barker.	Irwin.
Beasley.	Jones.
Bell.	Laird.
Bird.	Lamb.
Burmeister.	McBride.
Carpenter	McNatt.
of Matagorda.	Melson.
Crawford.	Montgomery.
Davis.	Morgan
Dodd.	of Liberty.
Downs.	Perdue.
Driggers.	Pinkston.
Dunlap.	Pope.
Dunn.	Robinson.
Durham.	Stewart of Jasper.
Harrington.	Thompson.
Harris.	Westbrook.
	Young.

## Nays—52.

Amsler.	Merriman.
Arnold.	Merritt.
Avis.	Miller.
Bonham.	Moore.
Bryant.	Morgan
Cable.	of Robertson.
Carter of Coke.	Pate.
Carter of Hays.	Patterson.
Coffee.	Pool.
Covey.	Price.
Cowen.	Purl.
Culp.	Quinn.
Duffey.	Rice.
Edwards.	Rogers.
Faubion.	Rountree.
Finlay.	Rowland.
Gipson.	Russell of Trinity.
Greer.	Sackett.
Hardin of Erath.	Sanford.
Jennings.	Satterwhite.
Lackey.	Simpson.
Lane.	Smith.
LeMaster.	Sparkman.
LeStourgeon.	Stevens.
Lewis.	Stewart
Loftin.	of Edwards.
Looney.	Stewart of Reeves.
McDaniel.	Storey.
McDonald.	Stroder.
McFarlane.	Thrasher.
McKean.	Turner.
Martin.	Wells.
Mathes.	Winfree.
Maxwell.	

## Present—Not Voting.

Blount.	Jacks.
DeBerry.	Patman.
Henderson	Russell
of McLennan.	of Callahan.

Shearer.  
Wallace.  
Wessels.

Wilmans.  
Wilson.

Absent.

Barrett.	Hughes.
Bobbitt.	Hull.
Carson.	Johnson.
Collins.	Kemble.
Davenport.	Potter.
Dielmann.	Quaid.
Fields.	Shires.
Fugler.	Sweet.
Green.	Teer.
Hardin	Vaughan.
of Kaufman.	Williamson.
Houston.	

Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

Mr. Lackey moved to reconsider the vote by which the amendment was lost and to table the motion to reconsider. The motion to table prevailed.

Mr. Lackey offered the following amendment to the amendment:

Amend substitute House bill No. 111, Sections 50 and 51, by striking out the last sentence in each of said sections, such sentence to be eliminated being the same in each case and reading as follows:

"The possession of a rifle or shotgun by a person afield shall be prima facie evidence that the person in possession of said gun is hunting or attempting to hunt."

The amendment was adopted.

Mr. Harris offered the following amendment to the amendment:

Amend substitute for House bill No. 111, Section 36, second paragraph, strike out this clause. "any dog or dogs found running, trailing or pursuing any deer are hereby declared to be public nuisances and may be killed at such times by any game commissioner or peace officer, and no suit or prosecution shall be maintained against them therefor."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend House bill No. 111 by adding in Section 50, line 32 of said section, by adding between words "owners or lessees," line 32, and the words "without a license," line 33 of said section, the



words, "or upon land on which they have permission to hunt."

The amendment was lost.

Mr. Laird offered the following amendment to the amendment:

Amend the substitute to House bill No. 111 by adding at the end of such bill the following words: "Provided that none of the provisions of this act shall apply to Angelina, Tyler, Shelby, Montague, Freestone and Panola counties, but such laws as were in effect at the time of the passage of this act shall be reinstated and apply to said counties."

Mr. Satterwhite raised a point of order on consideration of the amendment on the ground that the amendment is not germane to the purpose of the bill.

The Speaker overruled the point of order.

Question—Shall the amendment be adopted?

#### HOUSE BILL NO. 40 ON THIRD READING.

The Speaker laid before the House, as a special order for this hour, on its third reading and final passage,

H. B. No. 40, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes, providing compensation for the county attorney and other officials, limiting the defense that may be urged in a suit for taxes, expressly repealing Articles 7687, 7688, 7689, 7690, 7691, 7692, 7696, 7699, 7697, 7687a, 7687b and 7688a, Vernon Sayles' Texas Civil Statutes, and repealing all laws in conflict herewith."

The bill was read third time and was passed by the following vote:

Yeas—95.

Mr. Speaker.	Cable.
Amsler.	Carpenter
Arnold.	of Matagorda.
Atkinson.	Carson.
Avis.	Carter of Coke.
Baker of Milam.	Coffee.
Baker of Orange.	Collins.
Barker.	Cowen.
Barrett.	Culp.
Beasley.	Davis.
Bell.	DeBerry.
Blount.	Dodd.
Bonham.	Downs.
Bryant.	Driggers.
Burmeister.	Duffey.

Dunlap.	Pate.
Dunn.	Patman.
Durham.	Patterson.
Finlay.	Perdue.
Fugler.	Pope.
Gipson.	Potter.
Greer.	Price.
Hardin of Erath.	Purl.
Harrington.	Quaid.
Henderson	Quinn.
of Marion.	Rice.
Henderson	Robinson.
of McLennan.	Rowland.
Hendricks.	Russell of Trinity.
Howeth.	Sackett.
Irwin.	Sanford.
Jacks.	Satterwhite.
Jennings.	Shearer.
Jones.	Simpson.
Lackey.	Smith.
Laird.	Sparkman.
Lamb.	Stevens.
Lane.	Stewart
Lewis.	of Edwards.
McBride.	Stroder.
McDaniel.	Thompson.
McFarlane.	Thrasher.
McNatt.	Turner.
Martin.	Wallace.
Melson.	Wells.
Merritt.	Westbrook.
Montgomery.	Wessels.
Morgan	Wilmans.
of Liberty.	Wilson.
Morgan	Young.
of Robertson.	

Nays—11.

Abney.	Mathes.
Covey.	Maxwell.
Crawford.	Moore.
Edwards.	Rountree.
Faubion.	Stewart of Reeves.
Hardin	Storey.
of Kaufman.	

Present—Not Voting.

Bird.

Absent.

Bobbitt.	McDonald.
Carter of Hays.	McKean.
Davenport.	Merriman.
Dielmann.	Miller.
Fields.	Pinkston.
Green.	Pool.
Harris.	Rogers.
Houston.	Russell
Hughes.	of Callahan.
Hull.	Shires.
Johnson.	Stewart of Jasper.
Kemble.	Sweet.
LeMaster.	Teer.
LeSturgeon.	Vaughan.
Loftin.	Williamson.
Looney.	Winfree.

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## SPECIAL ORDER.

On motion of Mr. Culp, Senate bill No. 141 was set as a special order for 10 o'clock a. m. next Tuesday.

## HOUSE BILL NO. 33 WITH SENATE AMENDMENTS.

Mr. Jones called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 33, A bill to be entitled "An Act requiring the labeling of all cloth, fabric, garments or articles of apparel sold or offered for sale in this State which contain wool or purport to contain wool, and samples containing or purporting to contain wool displayed in this State in soliciting orders, and providing for punishment for violation of this act."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Jones, the House concurred in the Senate amendments.

## HOUSE BILL NO. 410 WITH SENATE AMENDMENTS.

Mr. Jones called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 410, A bill to be entitled "An Act requiring the erection of adequate fire escapes on certain classes of three or more story buildings now or hereafter constructed in this State. etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Jones, the House concurred in the Senate amendments.

Mr. Burmeister moved to reconsider the vote by which the House concurred and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 279 WITH SENATE AMENDMENTS.

Mr. Carter of Coke called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 279, A bill to be entitled

"An Act to amend Article 2771, Revised Statutes, 1911, as amended by the Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositories of independent districts."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Carter of Coke, the House concurred in the Senate amendments.

## HOUSE BILL NO. 111 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 111, relating to game laws of Texas, on its passage to engrossment, with amendment by Mr. Lackey and amendment by Mr. Laird to the amendment pending.

On motion of Mr. Satterwhite, the amendment by Mr. Laird was tabled.

Mr. Stewart of Edwards moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question then recurring on the amendment by Mr. Lackey as amended, it was adopted.

Mr. Lackey offered the following amendment to the bill:

Amend House bill No. 111 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled 'An Act to preserve, propagate, distribute and protect the wild game animals, wild game birds and fowls and wild birds of this State; defining offenses and prescribing penalties for the violations thereof; providing for the issuance of hunting licenses; the appointment of deputy game, fish and oyster commissioners; prescribing their duties and compensation; making provisions for the creation of a special game fund and appropriating the same for the purpose of carrying out the provisions of this act; repealing certain laws, and all laws, general and special, in conflict herewith, and declaring an emergency.'"

The amendment was adopted.

House bill No. 111 was then passed to engrossment by the following vote:

Yeas—56.

Abney.	Bell.
Amsler.	Blount.
Arnold.	Carpenter
Baker of Orange.	of Matagorda.
Beasley.	Carson.

Carter of Coke.	Martin.
Coffee.	Melson.
Collins.	Patman.
Cowen.	Patterson.
Culp.	Pool.
Driggers.	Purl.
Duffey.	Rogers.
Dunlap.	Russell of Trinity.
Dunn.	Sackett.
Edwards.	Sanford.
Faubion.	Satterwhite.
Fugler.	Shearer.
Gipson.	Sparkman.
Greer.	Stevens.
Harrington.	Stewart
Harris.	of Edwards.
Hendricks.	Stewart of Reeves.
Irwin.	Stroder.
Lackey.	Thrasher.
Lamb.	Turner.
LeMaster.	Wells.
Lewis.	Westbrook.
McFarlane.	Wilmons.
McNatt.	Wilson.

Nays—47.

Atkinson.	McDaniel.
Avis.	McDonald.
Baker of Milam.	Mathes.
Barker.	Maxwell.
Bird.	Merritt.
Bonham.	Miller.
Bryant.	Moore.
Burmeister.	Morgan
Cable.	of Liberty.
Crawford.	Morgan
Davis.	of Robertson.
DeBerry.	Pate.
Dodd.	Perdue.
Downs.	Pinkston.
Durham.	Quinn.
Finlay.	Rice.
Hardin	Robinson.
of Kaufman.	Rowland.
Henderson	Russell
of Marion.	of Callahan.
Howeth.	Simpson.
Jacks.	Stewart of Jasper.
Jennings.	Storey.
Laird.	Thompson.
Lane.	Wallace.
McBride.	Young.

Present—Not Voting.

Henderson	Potter.
of McLennan.	Wessels.

Absent.

Barrett.	Frnka.
Bobbitt.	Green.
Carter of Hays.	Hardin of Erath.
Covey.	Houston.
Davenport.	Hughes.
Dielmann.	Hull.
Fields.	Johnson.

Jones.	Quaid.
Kemble.	Rountree.
LeSturgeon.	Shires.
Loftin.	Smith.
Looney.	Sweet.
McKean.	Teer.
Merriman.	Vaughan.
Montgomery.	Williamson.
Pope.	Winfree.
Price.	

Absent—Excused.

Baldwin.	Dinkle.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.

Mr. Stewart of Edwards moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 109 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 109, A bill to be entitled "An Act levying an occupation tax on all individuals, companies, corporations or associations engaged in the business of severing natural resources from the soil or water, except oil, within this State; providing for the collection and disposition of said tax; requiring all the individuals, companies, corporations or associations engaged in such business to file certain statements and reports with the State Comptroller of Public Accounts; fixing a penalty for failure to file said statements and reports, making it the duty of the State Comptroller of Public Accounts to enforce the provisions of this act, and declaring an emergency."

The bill was read second time.

On motion of Mr. Quinn, further consideration of the bill was postponed until next Monday.

#### HOUSE JOINT RESOLUTION NO. 16 ON ENGROSSMENT.

The Speaker laid before the House, on its passage to engrossment,

H. J. R. No. 16, Proposing an amendment to Article 8 of the Constitution of the State of Texas, which relates to taxation and revenues, by adding thereto a new section to be known as Section 9a, directing the Legislature to provide

for the construction, operation and maintenance, under State control, of a system of public highways; authorizing the Legislature to provide for the issuance of bonds of the State or other form of indebtedness for the construction of a State system of public highways, and to provide for the payment of said bonds; providing for an election for the ratification of the amendment herein proposed, and making an appropriation to defray the expenses of said election.

The resolution having heretofore been read second time, with amendment by Mr. Patman pending.

Mr. Price offered the following substitute for the amendment:

Amend House joint resolution No. 16, page 1, by striking out all of lines 31, 32, 33, 34, 35, 36 and 37 of Section 9a, and insert in lieu thereof the following:

"Section 9a. The Legislature is authorized and directed to provide for the creation, establishment, construction, maintenance and repair of a system of improved highways throughout the State to be under control of the State; and in order that the State may provide the means, revenues and instrumentalities for the establishment and maintenance of such system of highways the Legislature is empowered to levy and cause to be collected specific excise and ad valorem taxes, in addition of those permitted for other purposes in the Constitution, but such an ad valorem tax shall be imposed only for the purpose of retiring the bonds authorized by vote of the people of this State as provided for hereinafter in this section."

Signed—Price, Henderson of Marion.

The substitute was adopted.

Question recurring on the amendment as substituted, it was adopted.

Mr. Burmeister offered the following amendment to the resolution:

Amend the House joint resolution by striking out the date for election as fixed in the resolution wherever it occurs and insert the words "the fourth Saturday in July, 1923."

The amendment was adopted.

Mr. Burmeister moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Question—Shall the resolution be engrossed?

The Clerk was directed to call the roll and the resolution was passed to engrossment by the following vote:

Yeas—79.

Mr. Speaker.	McDonald.
Avis.	McFarlane.
Baker of Milam.	McNatt.
Baker of Orange.	Martin.
Barker.	Melson.
Beasley.	Miller.
Bell.	Montgomery.
Bird.	Moore.
Blount.	Morgan
Bryant.	of Robertson.
Burmeister.	Patman.
Carson.	Patterson.
Carter of Coke.	Perdue.
Coffee.	Pool.
Collins.	Potter.
Cowen.	Price.
Culp.	Purl.
DeBerry.	Quaid.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rogers.
Duffey.	Rowland.
Dunlap.	Russell
Dunn.	of Callahan.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shearer.
Greer.	Simpson.
Hardin of Erath.	Smith.
Harrington.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Irwin.	Stroder.
Jacks.	Thrasher.
Jones.	Wells.
Lackey.	Wilmons.
Lane.	Wilson.
Lewis.	Young.
McBride.	

Nays—27.

Abney.	LeMaster.
Amsler.	McDaniel.
Atkinson.	Mathes.
Barrett.	Maxwell.
Cable.	Merritt.
Crawford.	Morgan
Finlay.	of Liberty.
Hardin	Quinn.
of Kaufman.	Sparkman.
Harris.	Stevens.
Henderson	Storey.
of McLennan.	Thompson.
Howeth.	Wallace.
Jennings.	Westbrook.
Laird.	Wessels.

## Absent.

Arnold.	Lamb.
Bobbitt.	LeSturgeon.
Bonham.	Loftin.
Carpenter	Looney.
of Matagorda.	McKean.
Carter of Hays.	Merriman.
Covey.	Pate.
Davenport.	Pinkston.
Davis.	Pope.
Dielmann.	Rountree.
Fields.	Shires.
Green.	Sweet.
Houston.	Teer.
Hughes.	Turner.
Hull.	Vaughan.
Johnson.	Williamson.
Kemble.	Winfree.

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Strickland.
Chitwood.	Stiernberg.
Dinkle.	

## SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 406, to the Committee on Conservation and Reclamation.

Senate bill No. 310, to the Committee on Stock and Stock Raising.

Senate bill No. 8, to the Committee on Criminal Jurisprudence.

Senate joint resolution No. 13, to the Committee on Constitutional Amendments.

Senate bill No. 134, to the Committee on Stock and Stock Raising.

Senate bill No. 402, to the Committee on School Districts.

Senate bill No. 339, to the Committee on Judicial Districts.

Senate bill No. 234, to the Committee on State Affairs.

Senate bill No. 275, to the Committee on State Affairs.

Senate bill No. 322, to the Committee on Stock and Stock Raising.

Senate bill No. 379, to the Committee on Game and Fisheries.

Senate bill No. 252, to the Committee on Municipal and Private Corporations.

Senate bill No. 411, to the Committee on School Districts.

Senate bill No. 357, to the Committee on State Affairs.

## SPECIAL ORDER SET.

On motion of Mr. Stewart of Reeves, all House joint resolutions were set as a special order for next Tuesday.

## BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 70, "An Act to amend Article 2178, Chapter 24, Title 37 of the Revised Civil Statutes of Texas, making attorney's fees recoverable in certain cases, by adding thereto a provision making the attorney's fees recoverable in certain suits for loss of, or damage to, express shipments, and declaring an emergency."

H. B. No. 177, "An Act to amend Article 4, Title 86, Revised Statutes of 1911, Chapter 152 of the General Laws 1897, Acts of the Twenty-fifth Legislature, same being an act to protect accountants, bookkeepers, clerks, artisans, craftsmen, operatives, servants, mechanics, quarrymen, common laborers and farm hands; to provide a lien and preserve a time of payment in lawful money of the United States, and prescribing the duty of the assignee or assignees of such person or persons, employer, firm or corporation, by changing the time when a duplicate account shall be presented to employer, person, firm or corporation from thirty to ninety days, and by changing the time of filing the other duplicate accounts with the county clerk from thirty days to ninety days; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. C. R. No. 26, Providing for adoption of joint rules of House and Senate.

H. B. No. 254, "An Act fixing in counties having a population in excess of one hundred and fifty thousand inhabitants the compensation of district attorneys and providing for the appointment of assistant district attorneys, investigators, stenographers, deputies and other employes, and providing for their salaries and the manner of their payment, and repealing all laws in conflict herewith, with exceptions, and declaring an emergency."

H. B. No. 287, "An Act providing that a water improvement district which has

made and filed an application with the State Board of Water Engineers for the appropriation and use of water on certain defined lands and for the storage of the water of a stream and watershed and shall have been granted a permit therefor by the State Board of Water Engineers, and parts of said land for which such water was appropriated for irrigation are not included within such district granted such permit, but is included within another district, the said district to which said permit was granted may convey same and all rights granted by said permits in so far as same pertain to said lands to the district in which said lands are located, validating such permits, and declaring an emergency."

H. B. No. 578, "An Act to amend an act passed by the Regular Session of the Thirtieth Legislature, known as House bill No. 470, and approved April 4, 1907, entitled 'An Act creating an independent school district to be known as the Coleman Independent School District, including within its limits the municipal corporation of the town of Coleman, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board,' so as to hereafter read as follows, and extending and defining its boundaries and including within its limits the municipal corporation of the city of Coleman, and to provide for the creating of a board of trustees thereof, and to authorize the board of trustees to levy, assess and collect special taxes and provide authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay all current expenses for the maintenance and support of said school, declaring valid all issues of bonds heretofore made, declaring valid maintenance tax heretofore voted, and repealing all laws in conflict herewith in so far as they conflict with this act, and declaring an emergency."

# HOUSE BILL NO. 90 ON SECOND READING.

On motion of Mr. Jones, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 90, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

# HOUSE BILL NO. 90 ON THIRD READING.

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 90 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Hardin
Abney.	of Kaufman.
Amsler.	Harrington.
Arnold.	Henderson
Atkinson.	of Marion.
Avis.	Henderson
Baker of Milam.	of McLennan.
Barker.	Hendricks.
Barrett.	Howeth.
Beasley.	Irwin.
Bell.	Jennings.
Bird.	Jones.
Burmeister.	Lackey.
Cable.	Laird.
Carpenter	Lane.
of Matagorda.	LeMaster.
Carson.	Lewis.
Coffee.	McBride.
Collins.	McDaniel.
Covey.	McNatt.
Cowen.	Martin.
Culp.	Mathes.
DeBerry.	Maxwell.
Dodd.	Merritt.
Downs.	Miller.
Driggers.	Montgomery.
Duffey.	Moore.
Dunlap.	Morgan
Dunn.	of Liberty.
Durham.	Morgan
Edwards.	of Robertson.
Faubion.	Pate.
Finlay.	Patman.
Gipson.	Patterson.
Hardin of Erath.	Perdue.

Pope.	Smith.
Potter.	Sparkman.
Price.	Stevens.
Purl.	Stewart
Quaid.	of Edwards.
Quinn.	Stewart of Jasper.
Rice.	Stewart of Reeves.
Robinson.	Stroder.
Rogers.	Thompson.
Rountree.	Thrasher.
Rowland.	Turner.
Russell	Wallace.
of Callahan.	Wells.
Russell of Trinity.	Westbrook.
Sackett.	Wessels.
Sanford.	Wilmans.
Satterwhite.	Wilson.
Shearer.	Young.
Simpson.	

Absent.

Baker of Orange.	Johnson.
Blount.	Kemble.
Bobbitt.	Lamb.
Bonham.	LeSturgeon.
Brady.	Loftin.
Bryant.	Looney.
Carter of Coke.	Lusk.
Carter of Hays.	McDonald.
Crawford.	McFarlane.
Davenport.	McKean.
Davis.	Melson.
Dielmann.	Merriman.
Fields.	Pinkston.
Fugler.	Pool.
Green.	Shires.
Greer.	Storey.
Harris.	Sweet.
Houston.	Teer.
Hughes.	Vaughan.
Hull.	Williamson.
Jacks.	Winfree.

Absent—Excused.

Baldwin.	Frnka.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

The Speaker then laid House bill No. 90 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Barrett.
Abney.	Beasley.
Amsler.	Bell.
Arnold.	Bird.
Atkinson.	Blount.
Avis.	Burmeister.
Baker of Milam.	Cable.
Baker of Orange.	Carpenter
Barker.	of Matagorda.

Carson.	Merritt.
Carter of Coke.	Miller.
Coffee.	Moore.
Collins.	Morgan
Covey.	of Liberty.
Cowen.	Morgan
Culp.	of Robertson.
DeBerry.	Pate.
Dodd.	Patman.
Downs.	Patterson.
Driggers.	Perdue.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Price.
Durham.	Purl.
Edwards.	Quaid.
Faubion.	Quinn.
Finlay.	Rice.
Fugler.	Robinson.
Gipson.	Rogers.
Hardin of Erath.	Rowland.
Hardin	Russell
of Kaufman.	of Callahan.
Harrington.	Russell of Trinity.
Harris.	Sackett.
Henderson	Sanford.
of Marion.	Satterwhite.
Henderson	Shearer.
of McLennan.	Simpson.
Hendricks.	Smith.
Howeth.	Sparkman.
Irwin.	Stevens.
Jennings.	Stewart
Jones.	of Edwards.
Lackey.	Stewart of Jasper.
Laird.	Stewart of Reeves.
Lane.	Stroder.
LeMaster.	Thompson.
Lewis.	Thrasher.
McBride.	Turner.
McDaniel.	Wallace.
McDonald.	Westbrook.
McNatt.	Wessels.
Martin.	Wilmans.
Mathes.	Wilson.
Maxwell.	Young.
Melson.	

Absent.

Bobbitt.	LeSturgeon.
Bonham.	Loftin.
Bryant.	Looney.
Carter of Hays.	McFarlane.
Crawford.	McKean.
Davenport.	Merriman.
Davis.	Montgomery.
Dielmann.	Pinkston.
Fields.	Pool.
Green.	Rountree.
Greer.	Shires.
Houston.	Storey.
Hughes.	Sweet.
Hull.	Teer.
Jacks.	Vaughan.
Johnson.	Wells.
Kemble.	Williamson.
Lamb.	Winfree.

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## HOUSE BILL NO. 41 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 41, A bill to be entitled "An Act to regulate domestic relations by prescribing means and procedure for the enforcement of the obligation of the father of legitimate minor children for their support and maintenance, and for other purposes, and declaring an emergency."

The bill was read third time and was passed by the following vote:

## Yeas—97.

Mr. Speaker.	Hendricks.
Abney.	Howeth.
Amsler.	Irwin.
Arnold.	Jennings.
Atkinson.	Jones.
Avis.	Lackey.
Baker of Milam.	Laird.
Baker of Orange.	Lane.
Barker.	LeMaster.
Barrett.	McBride.
Beasley.	McDaniel.
Bell.	McNatt.
Blount.	Martin.
Burmeister.	Mathes.
Cable.	Maxwell.
Carpenter	Melson.
of Matagorda.	Merritt.
Carson.	Miller.
Carter of Coke.	Montgomery.
Coffee.	Moore.
Collins.	Morgan
Covey.	of Liberty.
Cowen.	Morgan
Culp.	of Robertson.
DeBerry.	Pate.
Dodd.	Patman.
Downs.	Patterson.
Driggers.	Perdue.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Price.
Durham.	Purl.
Edwards.	Quaid.
Faubion.	Quinn.
Finlay.	Rice.
Gipson.	Robinson.
Greer.	Rogers.
Hardin of Erath.	Rowland.
Harrington.	Russell
Henderson	of Callahan.
of Marion.	Russell of Trinity.

Sackett.	Storey.
Sanford.	Stroder.
Satterwhite.	Thompson.
Shearer.	Thrasher.
Simpson.	Turner.
Smith.	Wallace.
Sparkman.	Wells.
Stewart	Westbrook.
of Edwards.	Wilmans.
Stewart of Jasper.	Wilson.
Stewart of Reeves.	

## Nays—3.

Hardin	Henderson
of Kaufman.	of McLennan.
	Wessels.

## Present—Not Voting.

Bird.	Stevens.
Harris.	Young.

## Absent.

Bobbitt.	LeSturgeon.
Bonham.	Lewis.
Bryant.	Loftin.
Carter of Hays.	Looney.
Crawford.	McDonald.
Davenport.	McFarlane.
Davis.	McKean.
Dielmann.	Merriman.
Fields.	Pinkston.
Fugler.	Pool.
Green.	Rountree.
Houston.	Shires.
Hughes.	Sweet.
Hull.	Teer.
Jacks.	Vaughan.
Johnson.	Williamson.
Kemble.	Winfree.
Lamb.	

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

## HOUSE BILL NO. 48 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 48, A bill to be entitled "An Act providing for the removal of any public officer for intoxication, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 86 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,



H. B. No. 86, A bill to be entitled "An Act amending Article 6285 of the Revised Civil Statutes of the State of Texas, 1920, and providing for the assistance by the county of any mother unable to properly provide for her children, where the father of such children is either dead, in a State institution, or where she is compelled by divorce to have the entire care and custody of such children without assistance from the father."

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Lamb.
Abney.	Lane.
Amsler.	LeMaster.
Arnold.	Lewis.
Atkinson.	McBride.
Avis.	McDaniel.
Baker of Milam.	McDonald.
Baker of Orange.	McNatt.
Barker.	Martin.
Barrett.	Maxwell.
Beasley.	Melson.
Bell.	Merritt.
Bird.	Miller.
Blount.	Montgomery.
Bryant.	Moore.
Burmeister.	Morgan
Cable.	of Liberty.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Patman.
Carter of Coke.	Patterson.
Coffee.	Perdue.
Collins.	Pope.
Covey.	Potter.
Cowan.	Price.
Culp.	Purl.
DeBerry.	Quaid.
Dodd.	Quinn.
Driggers.	Rice.
Duffey.	Robinson.
Dunlap.	Rogers.
Dunn.	Rountree.
Durham.	Rowland.
Edwards.	Russell
Faubion.	of Callahan.
Finlay.	Russell of Trinity.
Gipson.	Sackett.
Greer.	Sanford.
Hardin of Erath.	Satterwhite.
Harrington.	Shearer.
Harris.	Shires.
Henderson	Simpson.
of Marion.	Smith.
Howeth.	Sparkman.
Irwin.	Stewart
Jennings.	of Edwards.
Jones.	Stewart of Reeves.
Laird.	Stroder.

Thompson.  
Thrasher.  
Turner.  
Wallace.  
Wells.

Westbrook.  
Wilmons.  
Wilson.  
Young.

Nays—8.

Downs.  
Hardin  
of Kaufman.  
Henderson  
of McLennan.

Mathes.  
Pate.  
Stevens.  
Stewart of Jasper.  
Wessels.

Absent.

Bobbitt.  
Bonham.  
Carter of Hays.  
Crawford.  
Davenport.  
Davis.  
Dielmann.  
Fields.  
Fugler.  
Green.  
Hendricks.  
Houston.  
Hughes.  
Hull.  
Jacks.  
Johnson.

Kemble.  
Lackey.  
LeStourgeon.  
Loftin.  
Looney.  
McFarlane.  
McKean.  
Merriman.  
Pinkston.  
Pool.  
Storey.  
Sweet.  
Teer.  
Vaughan.  
Williamson.  
Winfree.

Absent—Excused.

Baldwin.  
Brady.  
Carpenter  
of Dallas.  
Chitwood.  
Dinkle.

Frnka.  
Lusk.  
Stell.  
Stiernberg.  
Strickland.

Mrs. Wilmons moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 221 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 221, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the U. S. Department of Agriculture in the destruction of rodent pests, prairie dogs, rats, pocket gophers and ground squirrels, and predatory animals, coyotes, wolves, mountain lions and bobcats; appropriating funds for such purpose; repealing present law (Senate bill No. 66), and declaring an emergency."

The bill was read third time.

Mr. Simpson moved that further consideration of the bill be postponed until 10 o'clock a. m. next Monday.

The motion was lost.

House bill No. 221 then failed to pass to engrossment by the following vote:

## Yeas—43.

Abney.	McNatt.
Burmeister.	Martin.
Cable.	Maxwell.
Carpenter	Merritt.
of Matagorda.	Montgomery.
Carson.	Patman.
Carter of Coke.	Pope.
Covey.	Potter.
Culp.	Purl.
Duffey.	Quaid.
Durham.	Quinn.
Edwards.	Rountree.
Faubion.	Russell of Trinity.
Finlay.	Sackett.
Gipson.	Satterwhite.
Hardin of Erath.	Smith.
Jennings.	Stevens.
Jones.	Stewart of Reeves.
Lackey.	Stroder.
Lamb.	Thrasher.
Lewis.	Wells.
McDonald.	Young.

## Nays—60.

Amsler.	McBride.
Arnold.	McDaniel.
Atkinson.	Mathes.
Avis.	Melson.
Baker of Orange.	Miller.
Barker.	Morgan
Barrett.	of Liberty.
Beasley.	Morgan
Bell.	of Robertson.
Bird.	Pate.
Blount.	Patterson.
Bryant.	Perdue.
Coffee.	Price.
Collins.	Rice.
Cowen.	Robinson.
DeBerry.	Rogers.
Dodd.	Rowland.
Downs.	Russell
Driggers.	of Callahan.
Dunlap.	Sanford.
Dunn.	Shearer.
Hardin	Shires.
of Kaufman.	Simpson.
Harrington.	Sparkman.
Harris.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Jasper.
Henderson	Thompson.
of McLennan.	Turner.
Howeth.	Wallace.
Irwin.	Westbrook.
Laird.	Wessels.
Lane.	Wilson.
LeMaster.	

## Present—Not Voting

Wilmans.

## Absent.

Baker of Milam.	Johnson.
Bobbitt.	Kemble.
Bonham.	LeStourgeon.
Carter of Hays.	Loftin.
Crawford.	Looney.
Davenport.	McFarlane.
Davis.	McKean.
Dielmann.	Merriman.
Fields.	Moore.
Fugler.	Pinkston.
Green.	Pool.
Greer.	Storey.
Hendricks.	Sweet.
Houston.	Teer.
Hughes.	Vaughan.
Hull.	Williamson.
Jacks.	Winfree.

## Absent—Excused.

Baldwin.	Frnka.
Brady.	Lusk.
Carpenter	Stell.
of Dallas.	Stiernberg.
Chitwood.	Strickland.
Dinkle.	

Mr. Stewart of Reeves moved to reconsider the vote by which the bill failed to pass to engrossment, and asked to have the motion to reconsider spread on the Journal.

Mr. Simpson called up the motion to reconsider and moved to table the motion.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

## Yeas—61.

Amsler.	Henderson
Arnold.	of McLennan.
Atkinson.	Howeth.
Avis.	Irwin.
Baker of Milam.	Jennings.
Barker.	Laird.
Barrett.	Lamb.
Beasley.	LeMaster.
Bell.	McBride.
Bird.	McDaniel.
Bonham.	Mathes.
Coffee.	Melson.
Collins.	Merritt.
Cowen.	Miller.
DeBerry.	Moore.
Dodd.	Morgan
Downs.	of Liberty.
Dunn.	Morgan
Durham.	of Robertson.
Hardin	Pate.
of Kaufman.	Patterson.
Harrington.	Perdue.
Harris.	Price.
Henderson	Rice.
of Marion.	Robinson.

Rogers.	Stell.
Rowland.	Stewart of Jasper.
Russell	Storey.
of Callahan.	Thompson.
Sanford.	Turner.
Shearer.	Wallace.
Shires.	Westbrook.
Simpson.	Wilmons.
Sparkman.	Wilson.

## Nays—44.

Abney.	Martin.
Blount.	Maxwell.
Bryant.	Montgomery.
Burmeister.	Patman.
Carpenter	Pope.
of Matagorda.	Potter.
Carson.	Purl.
Carter of Coke.	Quaid.
Covey.	Quinn.
Culp.	Rountree.
Driggers.	Russell of Trinity.
Duffey.	Sackett.
Dunlap.	Satterwhite.
Edwards.	Smith.
Finlay.	Stevens.
Gipson.	Stewart
Hardin of Erath.	of Edwards.
Jones.	Stewart of Reeves.
Lackey.	Stroder.
Lane.	Thrasher.
Lewis.	Wells.
McDonald.	Wessels.
McNatt.	Young.

## Absent.

Baker of Orange.	Jacks.
Bobbitt.	Johnson.
Cable.	Kemble.
Carter of Hays.	LeSturgeon.
Crawford.	Loftin.
Davenport.	Looney.
Davis.	McFarlane.
Dielmann.	McKean.
Faubion.	Merriman.
Fields.	Pinkston.
Fugler.	Pool.
Green.	Sweet.
Greer.	Teer.
Hendricks.	Vaughan.
Houston.	Williamson.
Hughes.	Wlnfree.
Hull.	

## Absent—Excused.

Baldwin.	Dinkle.
Brady.	Frnka.
Carpenter	Lusk.
of Dallas.	Stiernberg.
Chitwood.	Strickland.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 3, 1923.  
Hon. R. E. Seagler, Speaker of the House  
of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. B. No. 357, A bill to be entitled  
"An Act to release the property of  
the Timpson & Henderson Railway Com-  
pany from the payment of taxes levied  
against it for State and county purposes,  
in the counties of Rusk, Panola and  
Shelby, for the years 1917 to 1922 by  
reason of public calamity, and declaring  
an emergency."

S. B. No. 411, A bill to be entitled  
"An Act taking certain property from  
Common School District No. 49 of  
Grayson county, commonly known as  
Jernigan School District, and attaching  
the same to and making it a part of  
Common School District No. 50 of Gray-  
son county, commonly known as Pink  
Hill School District; providing that the  
county board of school trustees shall  
have the same authority with respect to  
this property as though the same had  
been added to such Common School Dis-  
trict No. 50 by a lawful act of the said  
trustees; and providing for an election  
to adjust the property thus added to  
said district as to taxes which may be  
now levied upon said Common School  
District No. 50 for local maintenance  
purposes, and for an assumption by  
said Common School District No. 50  
of pro rata of bonds issued by, and the  
pro rata taxes assessable against said  
added property on account of an out-  
standing bond issue existing against  
said Common School District No. 49, and  
declaring an emergency."

The Senate refused to engross

S. B. No. 308, A bill to be entitled  
"An Act to prevent lotteries," by the  
following vote, 9 yeas and 13 nays.

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

## RECESS.

Mr. Rice moved that the House recess  
to 8 o'clock p. m. today.

Mr. Pate moved that the House recess  
to 10 o'clock a. m. next Monday.

Mr. Wessels moved that the House  
adjourn until 10 o'clock a. m. next  
Monday.

Mr. Quinn moved that the House recess to 7:30 o'clock p. m. today.

The motion of Mr. Quinn prevailed and the House, accordingly, at 5:55 o'clock p. m., took recess to 7:30 o'clock p. m. today.

### NIGHT SESSION.

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

### HOUSE BILL NO. 160 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 160, A bill to be entitled "An Act amending Article 4611 of the Revised Civil Statutes with reference to the issuance of marriage licenses so as to provide that no license to marry shall be issued except in the county of the residence of the female desiring to marry unless the parent or guardian is present in person and gives his or her consent for the issuance of such license; providing punishment for the violation of the act, and declaring an emergency."

The bill was read third time.

Mr. Miller offered the following amendment to the bill:

Amend House bill No. 160, page 2, by striking out all in line 7, after the semi-colon, and by striking out all the words in lines 8, 9 and down to the semi-colon in line 10.

The amendment was adopted.

Mr. Coffee offered the following amendment to the bill:

Strike out all before the enacting clause and insert the following: "An Act amending Article 4611, Revised Civil Statutes of the State of Texas of 1911, with reference to the issuance of marriage licenses so as to provide that no license shall be issued for the marriage of any female under 18 years of age, except in the county where the parent or guardian, if any, of the female resides, prescribing how the residence of such parent or guardian shall be determined; providing for punishment for violation of this act, and declaring an emergency."

The amendment was adopted.

House bill No. 160 was then finally passed.

### HOUSE BILL NO. 247 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 247, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same, and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties and provide for the salaries of members of said faculty, and declaring an emergency."

The bill was read third time and was passed.

### HOUSE BILL NO. 425 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 425, A bill to be entitled "An Act to amend Chapter 2 of Title 104 of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws, First Called Session, Thirty-fifth Legislature, pertaining to the management and control of the prison system of this State by adding thereto another article to be known as Article 6231b, so as to exempt the Board of Prison Commissioners, and the members thereof, from giving or making any cost bond, appeal bond, supersedeas bond, writ of error bond, or other bond or security in any civil suit or action heretofore or hereafter brought by or against it, or them, and declaring an emergency."

The bill was read third time and was passed.

### HOUSE BILL NO. 530 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 530, A bill to be entitled "An Act to amend Chapter 167 of the Laws of the Regular Session of the Thirty-fifth Legislature, 1917, relative to the appointment of an assistant district attorney; prescribing the mode of appointment of assistant district attorneys in districts containing two or more counties, and in which district there is situated a city of twenty-eight thousand population or more according to the last United States census; prescribing the qualification of such assistant district attorney; defining his duties; providing the method of his removal from office; fixing his salary and prescribing

the mode of its payment, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 8 ON SECOND READING.

On motion of Mr. Cable, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 8, A bill to be entitled "An Act to amend Section 1 of Chapter 86 of the Regular Session of the Thirty-sixth Legislature, amending Section 2 of House bill No. 25 passed by the Thirty-third Legislature at the Regular Session and approved April 7, 1913, relating to prorating the appropriation for Confederate pensions among the pensioners; to provide that women who were wives of Confederate soldiers or sailors and who after the death of such soldiers or sailors have remarried, but who have been separated from or abandoned by their husbands and lived apart from them for a period of three years next prior to her application for a pension, and who are in indigent circumstances, may be eligible to the grant of a pension, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Patterson offered the following amendment to the bill:

Amend Section 2 by inserting immediately before the words "and providing," the following, "if she shall have been the wife of such soldier or sailor at the time of his death and left by him as his widow."

The amendment was adopted.

House bill No. 8 was then passed to engrossment.

#### HOUSE BILL NO. 184 ON SECOND READING.

On motion of Mr. Purl, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 184, A bill to be entitled "An Act amending subdivision (1) of Section 1 of an act authorizing and empowering certain municipalities of this State to fix and prescribe the annual salaries or compensation of their city or corporation judge, city attorney, and city auditor, at not exceeding a maximum prescribed sum, fixing the

maximum amount thereof, and declaring an emergency, being House bill No. 101, Chapter 21 of the General Laws of Texas, approved June 17, 1920, and effective June 17, 1920, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 604 ON SECOND READING.

On motion of Mr. Bonham, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 604, A bill to be entitled "An Act prescribing certain rules of briefing in the courts of civil appeals of the State of Texas; further providing that all rules heretofore or hereafter promulgated by the Supreme Court for the courts of civil appeals, except such as may be in conflict with the provisions of this act, shall be binding on said courts, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 413 ON SECOND READING.

On motion of Mr. Lane, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 413, A bill to be entitled "An Act to appropriate out of the general revenue, not heretofore appropriated, the sum of \$7500, or so much thereof as may be necessary, for the remainder of the fiscal year ending August 31, 1923, and the further sum of \$10,000, or so much thereof as may be necessary, for the fiscal year ending August 31, 1924, to defray the expenses of the department of the State Health Officer of the State of Texas in intensive mosquito control work leading to the prevention and eradication of malaria and dengue fever and prevention of yellow fever in the State of Texas; also authorizing the State Health Officer to accept donations from any sources to supplement such fund or funds, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

**BILL ORDERED NOT PRINTED.**

On motion of Mr. Stewart of Reeves, Senate bill No. 134 was ordered not printed.

**HOUSE BILL NO. 196 ON SECOND READING.**

On motion of Mr. Price, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 196, A bill to be entitled "An Act to amend Chapter 1 of Title 29 of the Revised Civil Statutes of 1911 by adding thereto Articles 1459a, 1459b, 1459c and 1459d, providing for the employment by commissioners courts in counties not having a county auditor of an accountant to audit the books, records and files of the county, and the reports, books, records and files of all officers, agents, agencies, pertaining to all financial transactions and matters with respect to which the commissioners court is charged with any duty; providing for a report of such audit and for their compensation therefor."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

**HOUSE BILL NO. 590 ON SECOND READING.**

On motion of Mr. Patman, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 590, A bill to be entitled "An Act to amend Article 6002, Title 97, Revised Statutes of Texas, 1911, providing for the appointment of notaries public, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

**HOUSE BILL NO. 378 ON SECOND READING.**

On motion of Mr. Thrasher, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 378, A bill to be entitled "An Act designating and appointing Mrs. M. E. Wheeler as assistant guide in charge of paintings, providing for her salary, making an appropriation, and declaring an emergency."

The Speaker laid the bill before the

House, it was read second time and was passed to engrossment.

**HOUSE BILL NO. 437 ON SECOND READING.**

On motion of Mr. Stewart of Reeves, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 437, A bill to be entitled "An Act to amend Section 12 of Chapter 190, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Section 1 of Chapter 74 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, which section relates to the allotment of highway funds in road construction, so as to provide for authority to increase the allotment of such funds to aid in the construction of highways in the different counties, and to use said funds for maintenance purposes, under certain conditions, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

**HOUSE BILL NO. 301 ON SECOND READING.**

On motion of Mr. Green, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 301, A bill to be entitled "An Act reorganizing the Forty-second Judicial District of Texas; defining its limitations and naming the counties which shall constitute same; providing for the transfer of Stephens county from said district to the Ninetieth Judicial District of Texas; providing for the transfer of all cases on the docket of the Forty-second Judicial District in said county; and validating all writs, bonds, recognizances and process in all cases pending upon the dockets of the district courts in the aforesaid counties, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

**HOUSE BILL NO. 598 ON SECOND READING.**

On motion of Mr. Irwin, by unanimous consent, the regular order of business was suspended, to take up and have

placed on its second reading and passage to engrossment,

H. B. No. 598, A bill to be entitled "An Act to amend Article 4364, Revised Civil Statutes of 1911, providing for the bond of State Treasurer so as to provide for the making of such bond with a surety company and the payment of the expense incident thereto by the State; and to amend Article 4373, Revised Civil Statutes of 1911, providing for the appointment of a chief clerk and the giving of bond by him, and also providing for the appointment of other employes so as to provide for the appointment of the chief clerk and the giving of a bond by him for a good and solvent surety company, and further to provide for the appointment of other employes and the giving of bonds by each of them, and to require the State to pay the necessary expenses incident to the execution of said bond or bonds, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 533 ON SECOND READING.

On motion of Mr. Edwards, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 533, A bill to be entitled "An Act prescribing the method of the county tax collector making remittances to the State Treasurer or to any other State officer, board, commission or employe of the State, and inhibiting the payment of exchange on any such remittances; providing that liability shall not cease until actual receipt of money, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 246 ON SECOND READING.

On motion of Mr. Dodd, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 246, A bill to be entitled "An Act to create and establish a court of record in Bowie county, Texas, to be called and known as the Texarkana Court at Law; to define and limit the jurisdiction and powers of said court, and the territorial limits thereof; to

conform the jurisdiction of the district and inferior courts thereto; to provide for the appointment, election and qualification of a judge and a clerk of said court and fix their compensation and tenure of office, and define their duties and powers, and to repeal all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Dodd offered the following (committee) amendment to the bill:

Amend H. B. No. 246 so that Sections 14 and 3 of the bill will read as follows:

Sec. 14. Venue.—No person who is an inhabitant of the territory hereinbefore defined shall be sued in any other court than the Texarkana Court at Law in any case of which jurisdiction is herein given to said court, nor shall any such person be prosecuted in any other court for any offense committed within the territory hereinbefore defined and set out of which this court is given exclusive jurisdiction, except in such cases as he might be sued or prosecuted under existing law in such other courts if he were an inhabitant of another county than Bowie, or State than Texas; except that citizens of Bowie county residing outside of the territorial jurisdiction of the Texarkana Court at Law as defined by this act, shall be permitted to bring suits against persons or corporations residing in or having agents within the territorial jurisdiction of said court, either in the district court of Bowie county, or the county court of said county, or in the Texarkana Court at Law, as the plaintiff may elect; and except and provided, that all suits hereafter brought in Bowie county against corporations domiciled or having agents representing them within the territorial jurisdiction of the Texarkana Court at Law, by non-citizens of the State of Texas or by non-residents of Bowie county, Texas, shall be brought in the Texarkana Court at Law; except and provided further, that no citizens of Bowie county, Texas, residing outside of the territorial jurisdiction of the Texarkana Court at Law shall be sued for the enforcement of, or a breach of, any contract in writing in the Texarkana Court at Law, although such contract is by its terms performable in the territorial jurisdiction of said court, unless he shall have expressly contracted in writing that in the event of

suit to enforce, or for a breach of, such contract such suit may be brought in such Texarkana Court at Law.

Except as herein modified and changed, Chapter 4, Title 7, Articles 1830 to 1834, inclusive, of the Revised Statutes of the State of Texas as they now exist and as they may hereafter be amended, and all other general laws of the State regulating and defining venue of suits, and the practice and procedure as to pleading and passing upon same in the district court and county courts of this State, and prescribing the place where suit shall be brought as applied to the district and county courts, shall govern and control and apply to the venue of suits brought or transferred to said Texarkana Court at Law in like manner as if the territory hereinbefore defined were a separate county or district, and where the word "county" or "counties" is used in said laws, they shall cover and apply to the territorial limits of the court herein created, as if and in the same sense as though the said territory over which this court has jurisdiction constituted and existed as a separate county.

**Sec. 3. Jurisdiction and Powers.**—The Texarkana Court at Law shall have and exercise, within the territorial limits above defined, all the civil jurisdiction at law and in equity heretofore had and exercised by the district court of the Fifth Judicial District of Texas within and for the court of Bowie and the county court of Bowie county, Texas, and all such jurisdiction as may hereafter be vested by the Constitution and laws of this State in the district and county courts of this State; except and provided, the said Texarkana Court at Law shall not have or exercise jurisdiction in any of the following cases and classes of cases, to wit:

- (a) Suits by the State to recover escheats or penalties;
- (b) Cases involving official misconduct or removal from office;
- (c) Contested election cases or proceeding;
- (d) Writs and proceedings of quo warranto and prohibition;
- (e) Probate matters, administration of estates of decedents or guardianship of infants or lunatics.

And the jurisdiction of the county court of Bowie county, Texas, as a probate court, and the jurisdiction of the district court of said county in probate

matters shall not in any manner be altered or affected by this act.

Said Texarkana Court at Law shall also have original jurisdiction of all suits, complaints and pleas whatever, without regard to any distinction in law and equity, as well as all proceedings under distress warrants issued by justices of the peace, when the amount in controversy shall exceed in value \$200, exclusive of interest; the Texarkana Court at Law, and the judge thereof, shall have power to issue writs of habeas corpus, mandamus, injunction, certiorari and writs of attachment, sequestration, garnishment, citation, and all other writs that may be by law issued out of the district and county courts of this State, necessary to enforce its jurisdiction.

And the court hereby established shall have and exercise jurisdiction in all cases that may be transferred thereto from the district court or the county court of Bowie county, Texas, by agreement of the parties, or by the order of court, where said case is pending, upon its own motion, or upon motion made by the parties thereto, under the provisions of law in such cases made and provided; and all laws for the removal or transfer of cases pending in the district courts or county courts of this State shall apply to the transfer of the cases of this court.

Said Texarkana Court at Law shall have appellate jurisdiction in all cases, civil and criminal, in which an appeal is now allowed, or which may be hereafter provided by law, to the county court of Bowie county, Texas, from any justice court, mayor's court, recorders', corporation or other court within said territorial limits, upon the terms, requirements and conditions provided by law, in appeals from such inferior courts to the county court, and in criminal cases where an appeal now lies to the county court of Bowie county.

The said Texarkana Court at Law shall have original exclusive jurisdiction, within the territorial limits aforesaid, of all misdemeanor criminal cases (except cases involving official misconduct) when the crime or offense shall have been committed within the territorial limits hereinbefore defined, and of which the justice courts, or other inferior courts, have not jurisdiction, and upon return and filing indictments by the grand jury of Bowie county, the clerk shall transfer all such cases in which



this court has jurisdiction, to said court as provided by law for the transfer of misdemeanor cases to the county courts of this State; said court hereby created shall have jurisdiction of all bail bonds and recognizances taken, and any proceeding had before such court, in all cases transferred to said court from the district court or county court of Bowie county, Texas, and may enter forfeitures thereof and final judgment, and enforce the collection of same by proper process, in the manner as provided by law in such bond proceedings; and all appeal bonds, recognizances or other obligations taken for the appearance of defendants, parties and witnesses in either the district court or county court of Bowie county, Texas, shall be binding on all such defendants, parties and witnesses, and their sureties for appearance in either of said courts, and in the court hereby established, in which said cause may be pending, or to which the same may be transferred; provided that as to all misdemeanor criminal cases arising within the territorial limits of the city of Texarkana, Texas, the said Texarkana Court at Law shall have original jurisdiction with the corporation court of the city of Texarkana, Texas, as to all such cases now within the jurisdiction of said corporation court.

The amendment was adopted.

House bill No. 246 was then passed to engrossment.

#### HOUSE BILL NO. 417 ON SECOND READING.

On motion of Mr. Rogers, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 417, A bill to be entitled "An Act to authorize the commissioners courts of the various counties of the State of Texas to employ one or more nurses for the purpose of assisting in the promotion of public health and visiting and inspecting the pupils of the public schools, and to appropriate public funds in payment thereof."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 355 ON SECOND READING.

On motion of Mr. Abney, by unanimous consent, the regular order of business

was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 355, A bill to be entitled "An Act to amend Article 791 of the Code of Criminal Procedure of the State of Texas in order to allow persons charged as principals, accomplices and accessories, whether they be charged as such in the same indictment or information or different indictments or information, to be introduced as witnesses for one another, but not preventing any person so charged from claiming a severance."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 611 ON SECOND READING.

On motion of Mr. Wells, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 611, A bill to be entitled "An Act to amend Article 927, Title 22, Chapter 6, Revised Civil Statutes of 1911, so as to provide that the city council of any city or town shall have power to levy and collect an annual poll tax not to exceed one dollar of every inhabitant of said city over the age of twenty-one years (idiots and lunatics excepted) who is a resident thereof at the time of such annual assessment, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Wells offered the following amendment to the bill:

Amend House bill No. 611 by inserting the words "unless exempted by general law" after the words "twenty-one years."

The amendment was adopted.

Mr. Wells offered the following amendment to the bill:

Amend House bill No. 611, line 19, strike out words in parenthesis "(idiots and lunatics excepted)."

The amendment was adopted.

Mr. Wells offered the following amendment to the bill:

Amend caption, line 11, by inserting words "unless exempted by general law" after words "twenty-one years." Strike out words "idiots and lunatics excepted" in line 11.

The amendment was adopted.

House bill No. 611 was then passed to engrossment.

#### HOUSE BILL NO. 124 ON SECOND READING.

On motion of Mr. Carpenter of Matagorda, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 124, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 21 of the Acts of the Regular Session of the Thirty-seventh Legislature, relating to the inspection of hides and animals, by adding to the exempt counties the county of Matagorda, and repealing all laws in conflict herewith."

The Speaker laid the bill before the House and it was read second time.

Mr. Jones offered the following amendment to the bill:

Amend House bill No. 124 by striking out "El Paso," line 25 of bill, page 1.

The amendment was adopted.

House bill No. 124 was then passed to engrossment.

#### HOUSE BILL NO. 283 ON SECOND READING.

On motion of Mr. Gipson, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 283, A bill to be entitled "An Act to amend Article 3965 of the Revised Statutes of 1911, relating to written memorandum to maintain certain actions, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 65 ON SECOND READING.

On motion of Mr. Potter, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 65, A bill to be entitled "An Act to amend Articles 4918a, 4918f, 4918g, 4918i, 4918j, Title 17, Chapter 10A, Revised Statutes of Texas, 1914, authorizing the incorporation of mutual hail insurance companies; regulating the business of said companies, pro-

viding for the investment of reserve fund; requiring annual reports; fixing fees to be paid by such companies; and declaring an emergency. (Act 1913, p. 40.) Enlarging the scope of business by authorizing such mutual companies to insure against loss or damage to growing crops caused by hail, windstorms, sandstorms, excessive rains, floods, drouth, boll worms, boll weevil, insects, winter kill, freeze or other menace of substantial existence; providing a method for mutual hail insurance companies now existing to amend their charters, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 544 ON SECOND READING.

On motion of Mr. Loftin, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 544, A bill to be entitled "An Act providing for the sale of land bought by the State under and by virtue of foreclosure of trust deeds, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 149 ON SECOND READING.

On motion of Mr. Jennings, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 149, A bill to be entitled "An Act amending Sections 6 and 12 of an act passed at the Regular Session of the Thirty-sixth Legislature entitled 'An Act relating to the protection of wild game, birds, etc., and requiring a license for the purpose of hunting,' being House bill No. 457, Chapter 157, of the Regular Session Laws, and to repeal all laws in conflict, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 543 ON SECOND READING.

On motion of Mr. Duffey, by unanimous consent, the regular order of business was suspended, to take up and have

placed on its second reading and passage to engrossment,

H. B. No. 543, A bill to be entitled "An Act creating the office of public weigher in all counties in Texas having a population of not less than 25,600 and not more than 25,700, according to the census of the United States taken in 1920, and prescribing the qualifications for such office and the powers and duties thereof."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 118 ON SECOND READING.

On motion of Mr. Rountree, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 118, A bill to be entitled "An Act amending Chapter 4, Title 12, of the Penal Code of the State of Texas, so as to properly define 'concentrated feed stuff,' 'concentrated feeding stuff,' and 'concentrated commercial feeding stuff'; amending Article 735 of said chapter, making it refer to Article 732 instead of Article 731, and reducing the penalty; making said chapter apply to firms, corporations, associations of persons, manufacturers, importers, agents, sellers and common law trust companies or associations, as well as persons; amending Article 740, omitting the jail penalty; providing a penalty for violations of said chapter where a penalty is not otherwise provided, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 332 ON SECOND READING.

On motion of Mr. Laird, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 332, A bill to be entitled "An Act to amend Section 1, Chapter 61, Acts of the Thirty-sixth Legislature, Third Called Session, relating to the renewal and extension of teachers' certificates."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 538 ON SECOND READING.

On motion of Mr. Avis, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 538, A bill to be entitled "An Act amending Section 1 of Chapter 46, Acts of the Third Called Session of the Thirty-sixth Legislature, fixing the fees to be paid to the State and the State Board of Water Engineers upon the filing of applications for permits for the storage, diversion and use of water, fixing maximum fees at the sum of fifteen hundred dollars, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 65 ON ENGROSSMENT.

Mr. Potter moved to reconsider the vote by which House bill No. 65 was engrossed.

The motion to reconsider prevailed.

Mr. Potter offered the following amendments to the bill:

(1)

Strike out all after the enacting clause and insert the following:

Section 1. That Sections 1 to 10, inclusive, of Chapter 22, General Laws, passed by the Regular Session of the Thirty-third Legislature, be amended so as to read respectively as follows:

Section 1. Private corporations may be created without a capital stock within this State by the voluntary association of seven or more persons, resident citizens of this State who collectively own not less than one thousand acres of growing crops of all kinds for the purpose of mutual insurance against loss or damage by hail, wind storms, sand storms, excessive rains, floods, drouth, boll worms, boll weevils, insects, winter kill, freeze or other menaces of substantial existence, providing that every company incorporated under the provisions of this act shall embody the word "Mutual" in its title.

Sec. 2. When any number of persons not less than seven desire to organize a mutual crop investment insurance company as herein provided, they shall make application to the Com-

missioner of Insurance and Banking for permission to solicit business under the mutual plan, stating the principal place of business and the name of the company; that said company is to be organized for the insurance of growing crops against loss or damage by hail, wind storms, sand storms, excessive rains, floods, drouth, boll worms, boll weevil, insects, winter kill, freeze or other menace of substantial existence on the mutual plan in accordance with the terms of application, but not to issue policies of insurance. Said mutual company shall take from each application an obligation specifying the property to be insured and the amount to be paid as the first assessment evidenced by a promissory note for such sum and payable on or before the 31st day of the succeeding December, and upon the State of Texas granting to said mutual insurance company a charter authorizing it to do business in this State.

Sec. 3. When applications have been secured for insurance with such company from at least two hundred applicants residing in not less than twenty-five different counties of this State, the first assessment or premium on which applications shall amount to at least ten thousand dollars, for which notes of solvent parties founded on actual bona fide applications for insurance payable upon the granting the charter by the State to said mutual crop investment insurance company, which premium notes shall be a lien on the crop insured or otherwise secured, and which notes and applications shall be submitted to the Commissioner of Insurance and Banking and when he finds the applications and notes to be genuine and secured by liens on growing crops or otherwise secured, he shall upon the payment of a fee of twenty-five dollars, certify the fact that he has examined and approved said applications and notes to the Secretary of State, who shall upon an application of said persons to which application shall be attached the said certificate of the Commissioner of Insurance and Banking, permit said company to incorporate and issue to it a charter.

A certified copy of the charter shall thereupon be filed with the Commissioner of Insurance and Banking, who, upon the payment of the fees required by law, shall issue to said mutual crop investment insurance company a license to solicit and transact business and issue policies against loss or damage by hail,

windstorms, sandstorms, excessive rains, floods, drouth, boll worm, boll weevil, insects, winter kill, freeze or other menace of substantial existence. Every person making application for insurance in such company prior to the granting of a charter to such company and signing a non-negotiable promissory note shall be liable upon the note upon the granting of a charter by the State, and if payment is refused, suit may be brought on same in any court in this State having jurisdiction of the amount at the principal office of said insurance company.

Sec. 4. The application for charter shall state the name of the corporation, the purpose for which it is formed, the place of its principal office, the term for which it is to exist, the number, name and residence of its directors for the first year, and shall be subscribed and acknowledged by the seven or more of the applicants.

Sec. 5. Upon the issuance of a charter by the Secretary of State to such mutual crop investment insurance company the persons making application for such charter shall constitute a board of directors for the first year which board of directors shall consist of not less than seven persons all of whom shall be residents of this State.

The officers of such company shall be such as may be provided by the by-laws, and the treasurer or the secretary and treasurer, if such officer should be combined in one, shall execute a bond in the sum of ten thousand dollars payable to the Commissioner of Insurance and Banking and his successors in office conditioned for the faithful performance of his duties and that he will account for all moneys, notes or other assets that may come into his hands, said bond shall be signed by two or more good and solvent sureties, or be executed by a guaranty company authorized to do business in this State, and shall be approved by the Commissioner of Insurance and Banking.

Sec. 6. Mutual crop investment companies organized under the provisions of this act may issue policies on growing crops of all kinds by loss or damage by hail, windstorms, sandstorms, excessive rains, floods, drouth, boll worms, boll weevil, insects, winter kill, freeze or other menace of substantial existence. Any person desiring insurance in such company can make application on blanks furnished by the company and shall pay the full amount of the pre-

mium in cash or secured notes. Provided that no contract shall be made providing for payment of any obligation by the insured or for suit on such obligation of the insured, except those given by the charter members referred to in Section 3 of this act, in any county other than the county in which the insured has his domicile. In case the whole amount of the premium collected by said company for any one year shall be insufficient to pay all losses occurring during said year, after paying the necessary expenses for said year, the persons insured by said company shall receive their proportionate share of the sum realized from said premiums after deducting expense therefrom in full satisfaction of their losses and no member shall be liable to the company or to any other person for more than the premium, which shall be paid by him or secured by him in making his application for insurance.

Sec. 7. All companies incorporated under this act shall set aside 60 per cent of all premiums collected as a policy holders' fund for the payment of losses, which fund shall be used for no other purpose, and the remainder of the gross premiums collected shall be used, if needed, for paying expenses of said company, and if not needed for said purpose such remainder not so used shall be added to the policy holders fund at the end of the current year, and if at the end of such current year the total of said policy holders fund has not been appropriated or necessary in payment of losses to policy holders, then such amount of said fund so remaining may be invested in first mortgage notes on land in this State, said investment not exceeding 50 per cent of the value of said land, or in the bonds of this State, or in county, city, town or school district bonds, of this State, provided said bonds have been approved by the Attorney General, which funds or securities shall be deposited in trust for said policy holders with any bank approved by the Commissioner of Insurance and Banking as a reserve fund, which fund may be used for the payment of policy holders, if necessary, in case of excessive and unprecedented losses, and such company may collect and receive the interest and dividends thereon to be used in defraying the expenses and paying the losses of said company.

Sec. 8. The board of directors of such company shall have the author-

ity to fix the rates to be charged for such insurance, and may fix at their discretion different rates for different sections of the State based upon the frequency of the losses sustained in such sections.

Sec. 9. Every such corporation shall on or before January 1, or within 30 day thereafter, each year make and file with the Commissioner of Insurance and Banking a report upon blank forms to be furnished by such commissioner, which report shall be verified by the oath of the secretary of such corporation and shall show the number of policies issued for the preceding year, the number and amount of losses paid, the gross amount received from premiums, the amount of expenses paid, and the amount set aside or invested during the year as a reserve fund, if any, and the books, records and documents of such corporation shall be subject to the inspection and examination of the Attorney General or the Commissioner of Insurance and Banking.

Sec. 10. The following fees shall be paid by companies organized under this law:

In addition to the application fee, charter fee to the Secretary of State when charter is issued, \$25; annual franchise tax of \$50, and to the Commissioner of Insurance and Banking for filing annual statement \$5, certificate of authority to corporation \$1, and no other fees shall be paid by said company.

Provided such mutual hail insurance companies organized and existing under the provisions of the act of March 17, 1923, General Laws of the State of Texas, may at their discretion issue policies of insurance on one or more of the risks singly or collectively, provided said company shall first file an amendment to its charter with the Secretary of State and paying the fee therefor as provided by law.

Sec. 2. The fact that there is great destruction of growing crops in this State by hail, wind storms, sand storms, excessive rains, floods, drouth, boll worm, boll weevil, insects winter kill, freeze or other menace of substantial existence and that there is no law under which mutual companies for the insurance against hail, wind storms, sand storms, excessive rains, floods, drouth, boll worms, boll weevil, insects, winter kill, freeze or other menace of substantial existence may be organized, creates a

public necessity and an emergency which requires the constitutional rule that bills be read on three several days be and the same is hereby suspended, and that this law shall take effect on and after its passage, and it is so enacted.

(2)

Strike out all before the enacting clause and insert the following:

H. B. No. 65, A bill to be entitled "An Act to amend Sections 1 and 10, inclusive, of Chapter 22, General Laws passed by the Regular Session of the Thirty-third Legislature, relating to the incorporation of mutual hail insurance companies; regarding the business of said companies; providing for investment of reserve fund; requiring annual reports and fixing fees to be paid by such companies, and declaring an emergency, in arranging the scope of business by authorizing such mutual companies to insure against loss or damage to growing crops, caused by hail, wind storms, sand storms, excessive rains, floods, drouth, boll worms, boll weevils, insects, winter kill, freeze or other menace of substantial existence; providing a method for mutual hail insurance companies now existing to amend their charters and declaring an emergency."

The amendments were severally adopted.

House bill No. 65 was then passed to engrossment.

#### HOUSE BILL NO. 469 ON SECOND READING.

On motion of Mr. Lewis, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 469, A bill to be entitled "An Act to amend Section 70, of Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature of Texas, by providing for amortization and an emergency fund for water improvement and irrigation districts, and directing the purpose for which said fund shall be expended, and providing for its investment, and to amend Section 95 of said Chapter 87 by providing the method and manner of making and collecting water assessments, and declaring an emergency."

The Speaker laid the bill before the

House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 408 ON SECOND READING.

On motion of Mr. Purl, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 408, A bill to be entitled "An Act to provide for and require the teaching and study of the Constitution of the United States in the public schools of Texas."

The Speaker laid the bill before the House and it was read second time.

Mr. Purl offered the following amendments to the bill:

(1)

Amend House bill No. 408 by striking out all after the enacting clause, and insert in lieu thereof the following:

Section 1. That Chapter 112, Acts of the Regular Session of the Thirty-fifth Legislature be amended so as to hereafter read as follows:

Sec. 1a. That on and after the third day of September, 1917, the subject of civil government and the history of Texas shall be taught in all public schools of this State; provided, that in teaching the subject of civil government the teaching of the Constitution of the United States and the Constitution of the State of Texas shall be included; provided further, the history of Texas shall be taught in the history course of all public schools in this State, and in this course only.

Sec. 2. The course of study in each of the subjects mentioned in Section 1 hereof shall be not less than two hours in any one week and as much more time as the State Superintendent of Public Instruction in his discretion thinks is necessary. The State Superintendent of Public Instruction shall, within ten days after this act goes into effect, notify the different county and city school superintendents as to how each of said courses shall be divided.

Sec. 3. Any city or county school superintendent in this State who shall fail or refuse to follow out the provisions of this act shall be held guilty of a misdemeanor and shall be punished by a fine of not less than \$25 nor more than \$200.

Sec. 4. The fact that the courses of study now taught in the public schools

of this State do not now require the teaching of the State and Federal Constitutions, and the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted.

(2)

Amend House bill No. 408 by striking out all the caption and inserting in lieu thereof the following:

A bill to be entitled "An Act to amend Chapter 112, Acts of the Regular Session of the Thirty-fifth Legislature, with reference to teaching of certain subjects in all public schools in Texas, giving the State Superintendent of Public Instruction certain powers in regard thereto, and providing a penalty, and declaring an emergency"

The amendments were severally adopted.

House bill No. 408 was then passed to engrossment.

#### HOUSE BILL NO. 54 ON SECOND READING.

On motion of Mr. Stewart of Reeves, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 54, A bill to be entitled "An Act authorizing boards of supervisors of levee improvement districts heretofore authorized, or that may be hereafter organized, under any law pursuant to Section 52 of Article 3, or Section 59 of Article 16, of the Constitution, to file suits to collect delinquent taxes in such districts; providing the method of procedure therefor; providing that any bondholder may bring such tax suits in the name of the levee district where the supervisors fail to commence such suits within sixty days after taxes become delinquent; providing that this act shall be cumulative and shall not repeal any method of procedure now provided for by law for the collection of levee district taxes, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Stewart of Reeves offered the following amendment to the bill:

Amend House bill No. 54 on page 1,

Section 1, by striking out all after the word "land" in line 8 down to and including the word "proceedings."

Amend House bill No. 54, Section 2, by striking out the word "two" in line 4 and insert in lieu thereof the word "four," and amend said Section 2 on page 2 by adding after the word "lands" the following: "also by written notice mailed to the last known address of the land owner."

Amend Section 3 on page 2 of House bill No. 54 after the word "notice" in line 1 the following: "and by written notice addressed to the last address of the land owner."

Amend House bill No. 54, Section 7, on page 3 by striking out all after the word "aforesaid" in line 1 down to and including the word "plaintiff" in line 3.

Amend House bill No. 54 on page 3, Section 5, by striking out all after the word "foreclosure" in line 5, down to and including the word "action" in line 7.

The amendment was adopted.

House bill No. 54 was then passed to engrossment.

#### HOUSE BILL NO. 116 ON SECOND READING.

On motion of Mr. Abney, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 116, A bill to be entitled "An Act to amend Chapter 1, Title 119, of the Revised Civil Statutes of Texas, as amended by Chapter 29 of the Acts of the Fourth Called Session of the Thirty-fifth Legislature, and by Chapter 98 of the General Laws of the Regular Session of the Thirty-sixth Legislature, fixing the compensation of county commissioners, by adding thereto Article 6901dd, fixing the compensation of county commissioners in all counties subject to the provisions of Chapter 42 of the General Laws of the First Called Session of the Thirty-seventh Legislature, and having a population of less than 50,000, and having a county auditor, and providing that this act shall not go into effect until the first day of January, 1925."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

## ADJOURNMENT.

Mr. Merritt moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Quinn moved that the House adjourn until 9 o'clock a. m. next Monday.

Mr. Hardin of Kaufman moved that the House adjourn until 11 o'clock a. m. next Monday.

The motion of Mr. Merritt prevailed and the House, accordingly, at 10:30 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Education—House bill No. 654, Senate bill No. 228.

Judiciary—Senate bills Nos. 244, 197, House bills Nos. 661, 670.

Roads, Bridges and Ferries—House bill No. 663.

School Districts—Senate bill No. 40.

State Affairs—Senate bill No. 377.

The following committees have filed unfavorable reports on bills, as follows:

Roads, Bridges and Ferries—House bills Nos. 657, 512.

School Districts—House bills Nos. 422, 669.

## REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 2, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 48, A bill to be entitled "An Act to amend Article 6030 of Chapter 2, Title 98 of the Revised Civil Statutes of 1911, providing that all district attorneys, county judges, commissioners, and county attorneys, clerks of the district and county courts, and single clerks in counties, where one clerk discharges the duties of district and county clerks, county treasurer, sheriff, county surveyor, assessor, collector, constable, cattle and hide inspector, justice of the peace, and all other county officers now or hereafter existing by authority either of the Constitution

or laws, may be removed from office by the judges of the district court for incompetency, official misconduct, or becoming intoxicated by drinking intoxicating liquors as a beverage, whether on duty or not; providing such officers may not be removed because of such intoxication when produced by drinking intoxicating liquor upon direction and prescription of a licensed practicing physician of this State; repealing Articles 6035, 6036, 6037, 6038 and 6039 of Chapter 2, Title 98 of the Revised Civil Statutes of 1911, and creating an emergency,"

And find the same correctly engrossed.  
PRICE, Vice Chairman.

Committee Room,  
Austin, Texas, March 2, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 410, A bill to be entitled "An Act requiring the erection of adequate fire escapes on certain classes of three or more story buildings now or hereafter constructed in this State, and making it the duty of the owners of such buildings and the duty of all boards, commissions, boards of trustees of public schools, county commissioners courts, city councils, boards of city commissioners, and all officials having charge or supervision of public buildings within the provisions of this act and owned by this State or by any county, city, town or school district to provide such buildings with adequate fire escapes; defining the terms 'owner,' 'story' and 'adequate fire escape,' and fixing minimum specifications for adequate fire escapes and requiring the maintenance of exit and guide lights and signs to fire escapes and making it an offense to obstruct the free access to any fire escape; fixing the time within which such buildings shall be equipped with fire escapes and exempting from this act certain buildings already equipped with fire escapes meeting certain requirements; fixing penalties for violation of any provision of this act by owners of buildings, and making it an offense for any person as agent to represent a non-resident owner of any building within the provisions of this act who fails to comply with this act, and fixing penalty therefor; providing that the State Fire Marshal shall have general supervision of the enforce-



ment of this act and making it his duty and the duty of certain other officials to give notice of the provisions of this act and file complaints for the violation of its provisions, and authorizing private persons to file such complaints, and making it the duty of county attorneys, and district attorneys under certain conditions, to prosecute such complaints; providing that the Attorney General and county and district attorneys may proceed by suit or injunction to enforce the provisions of this act, and permitting such suits to be prosecuted on the relation of said officials or of the State Fire Marshal or any inspector of the State Fire Commission, or the chief of any fire department, or the fire marshal of any city or town, or of any private person, and authorizing district courts and judges thereof to issue mandatory injunctions and other writs to enforce the provisions of this act; providing that if any section, paragraph or provision of this act shall be held unconstitutional, that such holding shall not affect the remaining sections, paragraphs or provisions hereof; repealing Chapter 70 of the Acts of the Regular Session of the Thirtieth Legislature, passed and approved April 6, 1907, and Chapter 12 of the Acts of the Regular Session of the Thirty-fourth Legislature, passed and approved February 16, 1915, and Chapter 140 of the Acts of the Regular Session of the Thirty-fifth Legislature, passed and approved March 30, 1915, all relating to fire escapes, and also repealing Articles 861 to 867, inclusive, of the Penal Code of the Revised Criminal Statutes of 1911, and all laws and parts of laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.

PRICE, Vice Chairman.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 3, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 24, Extending invitation to Col. Sidney Smith.

Have carefully compared same and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 3, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 23, Relating to entertainment of Amateur Choral Club,

Have carefully compared same and find it correctly enrolled, and have this day at 10:30 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 3, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 24, "An Act creating the Springlake Independent School District in Lamb county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the trustees thereof; providing that certain territory taken away from the Sudan Independent School District in Lamb county, Texas, and placed within the Springlake Independent School District be chargeable with its pro rata part of any bonded indebtedness heretofore voted in said Sudan Independent School District; and providing that the Springlake Independent School District as herein created may as a whole vote to assume such pro rata part of said bonds; providing for the appointment of a board of equalization and tax assessor and collector for said district, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

#### THIRTY-EIGHTH DAY.

(Monday, March 5, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present: